



# **THE ZONING ORDINANCE SAN DIEGO COUNTY**

## **IMPORTANT NOTE:**

Zoning ordinances are continually undergoing additions, deletions, and alterations. Up-to-date ordinance information is available at the Zoning Information Counter at the Department of Planning and Land Use. Any questions regarding possible changes in zoning ordinances should be directed to the Zoning Information Counter.

***COUNTY OF SAN DIEGO***  
***Department of Planning and Land Use***

**THE ZONING ORDINANCE OF SAN DIEGO COUNTY**  
Ordinance No. 5281 (New Series)

Adopted -                      October 18, 1978  
Effective -                    December 19, 1978

**RECORD OF CHANGES TO THIS ORDINANCE**  
Note date and initial when replacement pages are inserted

UPDATE			UPDATE			UPDATE			UPDATE		
No.	Date	By	No.	Date	By	No.	Date	By	No.	Date	By
1	3-83	DPLU	23	6-87	DPLU	45	3-93	DPLU	67	9-03	DPLU
2	6-83	"	24	7-87	"	46	6-93	"	68	2-04	"
3	10-83	"	25	9-87	"	47	7-93	"	69	8-04	"
4	12-83	"	26	11-87	"	48	1-94	"	70	10-04	"
5	5-84	"	27	2-88	"	49	7-94	"	71	2-05	"
6	6-84	"	28	2-88	"	50	10-94	"	72	3-06	"
7	11-84	"	29	6-88	"	51	1-95	"	73	3-07	"
8	12-84	"	30	8-88	"	52	3-95	"	74	5-07	"
9	1-85	"	31	2-89	"	53	11-95	"	75	4-08	"
10	3-85	"	32	8-89	"	54	12-95	"	76	9-08	"
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ORDINANCE NO. 5281 (NEW SERIES)

AN ORDINANCE ESTABLISHING ZONES IN THE COUNTY OF SAN DIEGO AND THEREIN REGULATING THE USE OF LAND, HEIGHT OF BUILDINGS, AREA OF LOTS, BUILDING SITE, AND YARD SPACES, AND OTHER MATTERS: PROVIDING FOR MAPS SHOWING THE BOUNDARIES OF SAID ZONES: DEFINING THE TERMS USED IN THIS ORDINANCE: PROVIDING FOR ITS ADJUSTMENT, AMENDMENT AND ENFORCEMENT: PRESCRIBING PENALTIES FOR VIOLATION AND REPEALING ORDINANCE OR PORTIONS OF ORDINANCE IN CONFLICT THEREWITH.

The Board of Supervisor of the County of San Diego do ordains as follows:



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## PART ONE: BASIC PROVISIONS

### GENERAL PROVISIONS

#### 1000 TITLE AND PURPOSE OF PART ONE.

The provisions of Section 1000 through Section 1999, inclusive, shall be known as the Basic Provisions of the Zoning Ordinance. The purpose of these provisions is to specify the title, purpose, basic structure and applicability of the Zoning Ordinance and to require conformity to this Ordinance. These provisions shall apply to the entirety of the Zoning Ordinance.

#### 1001 TITLE OF THE ZONING ORDINANCE.

This Ordinance shall be known and cited as The Zoning Ordinance.

#### 1002 PURPOSE OF THE ZONING ORDINANCE.

The purpose of the Zoning Ordinance shall be to serve the public health, safety and general welfare and to provide the advantages resulting from the implementation of the San Diego County General Plan.

#### 1003 CONSISTENCY OF ZONING ORDINANCE WITH THE SAN DIEGO COUNTY GENERAL PLAN.

In the event that the Zoning Ordinance becomes inconsistent with the San Diego County General Plan by reason of the adoption of a new Plan, or by amendment of the existing Plan or any of its elements, the Zoning Ordinance shall be amended within a reasonable time so that it is consistent with the newly adopted Plan or remain consistent with the existing Plan as amended. Additionally, all Zoning Ordinance amendments other than those previously described shall be consistent with the San Diego County General Plan. The procedure for the amendment of the Zoning Ordinance is contained in Sections 7500 through 7549, inclusive.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

#### 1004 OPEN SPACE ZONING ORDINANCE.

The Board of Supervisors hereby finds and declares that the zones containing the following Use Regulations and Special Area Regulations contained in this Zoning Ordinance constitute the Open Space Zoning Ordinance pursuant to the California Government Code: the A70 Limited Agriculture, A72 General Agriculture, S80 Open Space, S90 Holding Area, S92 General Rural, and S94 Transportation and Utility Corridor Use Regulations, and the Flood Plain,

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Historic/Archaeological Landmark and District, Scenic Area, Sensitive Resource Area, and Agricultural Preserve Special Area Regulations.

(Amended by Ord. No. 5330 (N.S.) adopted 12-13-78)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

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#### APPLICABILITY OF THE ZONING ORDINANCE.

- a. The Zoning Ordinance shall be applicable to all of the unincorporated areas of San Diego County. The use and employment of all land and any buildings or structures located upon the land and the construction, reconstruction, alteration, expansion, or relocation of any building or structure upon the land shall conform to all regulations applicable to the zone in which the land is located. No land, building, structure or premises shall be used for any purpose or in any manner other than is permitted in the zone in which such land, building, structure or premise is located.
- b. The Zoning Ordinance shall not apply to the development, use, or improvement of new or existing County Parks.
- c. The Zoning Ordinance shall not apply to Indian Reservation lands within the County of San Diego. Such lands are defined as those parcels which are identified as Indian Reservation lands by an Act of the United States Congress.
- d. The Zoning Ordinance shall not apply to federally-owned public lands within the County of San Diego. Such lands are defined as those parcels which are identified as federally-owned public lands by the San Diego County Assessor.

(Amended by Ord. No. 6615 (N.S.) adopted 6-22-83)

(Amended by Ord. No. 7036 (N.S.) adopted 9-18-85)

(Amended by Ord. No. 8340 (N.S.) adopted 12-15-93)

(Amended by Ord. No. 9553 (N.S.) adopted 5-21-03)

(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)

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#### RESPONSIBILITY FOR COMPLIANCE WITH THE ZONING ORDINANCE.

In addition to the provisions of Section 7703 VIOLATIONS AND PENALTIES, a property owner shall be considered to have allowed any use of property occupied by, or under the dominion and control of, the owner, and shall be responsible for the discontinuance and removal of any violation of The Zoning Ordinance. Said responsibility shall include property leased to other parties. A property owner shall also be responsible for the discontinuance and removal of any violation of The Zoning Ordinance that existed on the property prior to the current owners purchase of the property.

(Added by Ord. No. 8166 (N.S.) adopted 10-21-92)

1008 INTERPRETATION AND APPLICATION OF THE ORDINANCE.

If ambiguity arises concerning the content or application of The Zoning Ordinance, it shall be the duty of the Director to ascertain all pertinent facts, render a decision on the interpretation, set forth findings and notify concerned persons. This decision may be appealed pursuant to the Administrative Appeal Procedure commencing at Section 7200.

(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)

1010 INTERPRETATION OF CONFLICTING PROVISIONS.

In interpreting and applying the provisions of these regulations, they shall be held to be the minimum requirement for the promotion of the public health, safety, comfort, convenience and general welfare. It is not the intent of these regulations to interfere with or abrogate or annul any easement, covenant or other agreement between parties. When these regulations impose a greater restriction upon the use of buildings or land, or upon the height of buildings, or require larger open spaces than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of these regulations shall control.

1012 NO RELIEF FROM OTHER PROVISIONS.

Except as otherwise specifically provided, no provision of this Zoning Ordinance shall be construed as relieving any party to whom a site plan, permit or variance is issued from any other provision of state or federal law or from any provision, ordinance, rule, or regulation of the County of San Diego requiring a license, franchise, or permit to accomplish, engage in, carry on or maintain a particular business, enterprise, occupation, transaction or use.

1014 SEVERABILITY OF PROVISIONS.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason, held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of these regulations, it being hereby expressly declared that this ordinance and each section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, adopted, approved and ratified irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

1016 ORDINANCE SUPERSEDES EXISTING ZONING ORDINANCE.

This Zoning Ordinance supersedes Ordinance 1402, as amended, of the County of San Diego, including those provisions of Ordinance 1402 that apply specifically to the 37 zoning districts number 1, 4, 7, 8, 9, 12, 13, 15, 16, 19, 20, 23, 24, 26, 35, 37, 40, 41, 43, 44, 46, 48, 50, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, and 65, referred to in Articles XXXVI to XCIX of said Ordinance, and to the extent that Ordinance 1402 is inconsistent with this Zoning Ordinance, it is hereby repealed. If any provisions of this Zoning Ordinance should be determined to be not applicable to land regulated

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by said Ordinance 1402, the provisions of Ordinance 1402 shall continue to apply. Nothing in this Ordinance shall be construed as validating or legalizing any land use or building or structure, conducted, constructed, erected, or maintained in violation of any County ordinance, and nothing in this ordinance shall prevent or bar the filing of a complaint or punishment of any in violation of said Ordinance 1402 or bar the bringing of any action or compel the discontinuance of any use or the removal of any building or structure conducted, constructed, erected, or maintained in violation of said Ordinance 1402. Insofar as the provisions of this ordinance impose the same regulations as imposed by said Ordinance 1402, this ordinance shall be construed as a continuation of said Ordinance 1402 and not as a new enactment.

(Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)

1017

Notwithstanding any provision of Section 1016 to the contrary, any zone reclassification adopted pursuant to Ordinance No. 1402 (New Series) and prior to the operative date of this Zoning Ordinance shall on the effective date of said reclassifications be deemed automatically converted to the comparable zones under this ordinance, as said comparable zones are specified in Ordinance No. 5312 (New Series).

(Added by Ord. 5328 (N.S.) adopted 12-13-78)

1018 COMPLETION OF EXISTING BUILDINGS.

Nothing herein contained shall require any change in the plans, construction or designated use of a building or structure for which a building permit has been issued prior to the effective date of any amendment of these regulations provided that actual construction of such building or structure is commenced within one calendar year after the date of issuance of the building permit and is completed within three calendar years from issuance of said building permit and provided further that such construction and proposed use of such building or structure is not on said effective date in violation of any other ordinance or law. Actual construction is hereby defined for purposes of this section, to be the actual placing of construction materials in their permanent position, fastened in a permanent manner, except that where a basement is being excavated such excavating shall be deemed to be actual construction, or where demolition or removal of an existing structure has commenced preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)

(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)

1019 EFFECT OF AMENDMENTS UPON PENDING APPLICATIONS.

- a. Any application for a permit or other approval regulated in any manner by the provisions of this Zoning Ordinance shall only be required to meet the provisions of this Ordinance that were in effect on the date that application is filed.
- b. For purposes of this section, an application is "filed" when the required fees have been paid and the required application forms and accompanying materials are completed and submitted as follows:
  1. For projects served by public sewer, upon its submittal with the agency authorized to grant the permit or approval; or
  2. For projects not served by public sewers, upon submittal of the application for review by the Department of Environmental Health; provided, that within 180 days of said filing, an application for the permit or approval is submitted as in paragraph "1" above; applications submitted after said 180 days shall be considered filed on the date the application is submitted as in paragraph "1" above.

The foregoing notwithstanding, Specific Plans approved or filed for processing on or before March 25, 1987, shall not be subject to the amendments of Policies 1.3 and 1.4 of the Regional Land Use Element and Sections 4230 and 6648 of The Zoning Ordinance adopted as part of General Plan Amendment 87-01, Item 4, relating to the filing, processing, and approval of subsequent applications for implementing or amending such Specific Plans; provided that:

1. The implementing application is filed within five years of the last prior action approving, amending, or implementing the Specific Plan, and
2. The implementing application does not propose or imply an increase in the overall density or intensity of use of the Specific Plan; except that where an application has been previously filed for a waiver of Specific Plan and a completed tentative subdivision map application has been filed for the subject property and fees paid prior to March 25, 1987, a subsequently filed Specific Plan for the same property shall also not be subject to the above specified amendments of GPA 87-01, Item 4.

(Added by Ord. No. 6134 (N.S.) adopted 7-22-81)  
 (Amended by Ord. No. 7322 (N.S.) adopted 6-10-87)  
 (Amended by Ord. No. 7740 (N.S.) adopted 3-28-90)  
 (Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

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DEFINITIONS**1100 TITLE, PURPOSE AND APPLICABILITY.**

The provisions of Section 1100 through Section 1199, inclusive, shall be known as the Definitions. The purpose of these provisions is to promote consistency and precision in the interpretation of The Zoning Ordinance. The meaning and construction of words and phrases as set forth shall apply throughout The Zoning Ordinance, except where the context of such words or phrases clearly indicates a different meaning or construction. Definitions contained in the Uniform Building Code shall be applicable except when in conflict with definitions contained in The Zoning Ordinance, in which case The Zoning Ordinance definition shall prevail.

**1105 GENERAL RULES FOR CONSTRUCTION OF LANGUAGE.**

The following general rules of construction shall apply to the textual provisions of The Zoning Ordinance.

- a. **Headings.** Section and subsection headings contained herein shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of any provision of The Zoning Ordinance.
- b. **Illustration.** In case of any difference of meaning or implication between the text of any provision and any illustration, the text shall control.
- c. **Shall and May.** "Shall" is always mandatory and not discretionary. "May" is discretionary.
- d. **Tenses and Numbers.** Words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- e. **Conjunctions.** Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:
  1. "And" indicates that all connected items or provisions apply.
  2. "Or" indicates that the connected items or provisions may apply single or in any combination.
  3. "Either...or" indicates that the connected items or provisions shall apply single but not in combination.
- f. All public officials, bodies, and agencies to which reference is made are those of the County of San Diego unless otherwise indicated.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

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1110 GENERAL TERMS.

- a. "Permitted" means permitted without the requirement for a use permit but subject to all other applicable regulations.
- b. "Department" means the Department of Planning and Land Use.
- c. "Board" or "Board of Supervisors" shall have the same meaning.
- d. "Commission" or "Planning Commission" shall have the same meaning.
- e. "City" means any city in the County of San Diego.
- f. "County" shall mean the County of San Diego.
- g. "Federal" shall mean the Government of the United States of America.
- h. "State" shall mean the State of California.
- i. "Used" includes "arranged for," "designed for," "occupied," or "intended to be occupied for."
- j. "General Plan" means the San Diego County General Plan.
- k. "Director" means the Director of Planning and Land Use.
- l. "Section" means a section of the Zoning Ordinance unless otherwise indicated. Sections of this Ordinance are identified by a four digit number (excluding any suffix or decimals) except that each term defined in the Definitions constitutes a separate section.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 8555 (N.S.) adopted 7-14-95)

(Amended by Ord. No. 8962 (N.S.) adopted 9-23-98)

DEFINITIONS (A)

**Abutting:** Having a common boundary except that parcels having no common boundary other than a common corner shall not be considered abutting.

**Accessory Apartment (Elderly/Handicapped/Family Member):** A dwelling unit no greater than 640 square feet in floor area, located within or attached to a single detached dwelling, for occupancy by a maximum of two persons, one of whom shall be either 1) 60 years of age or older, 2) handicapped (as defined in the State Health and Safety Code) or 3) a member of the immediate family of the owner (related by blood, marriage or adoption) of the principal dwelling on the site.

(Added by Ord. No. 6586 (N.S.) adopted 5-18-83)



**Accessory Building:** A portion of a main building or a detached subordinate building located on the same lot as a main building which is devoted exclusively to an accessory use.

**Accessory Living Quarters:** Living quarters, which may include kitchen facilities, within an accessory building or the within the primary dwelling for the sole use of persons employed on the premises and not rented or otherwise used as a separate dwelling.

(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)

**Accessory Use:** A use customarily incidental and accessory to the principal use of the land or building site, or to a building or other structure located on the same building site as the accessory use.

**Administrative Permit:** A permit which may be granted by the appropriate County officer or body to provide for the accommodation of land uses or structures with special site or design requirements, operational characteristics, or potential adverse effects on surroundings, which are not permitted by right, but which may be approved upon completion of a review process, the making of findings required by ordinance, and where necessary, the imposition of conditions of approval by the permit granting authority. Administrative permits are intended to be utilized in situations where the public welfare does not require a public hearing prior to granting approval for temporary uses or structures, uses and structures having only a minor potential adverse impact on surroundings, or for uses and structures where the public welfare necessitates an expeditious review procedure.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

**Adult Bookstore, Adult Novelty Store Adult Video Store:** A commercial establishment which has a significant or substantial portion of its stock-in-trade or derives a significant or substantial portion of its revenues or devotes a significant or substantial portion of its interior business or advertising, or maintains a substantial section of its sales or display space for the sale or rental, for any form of consideration, of any one or more of the following:

- a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas";
- b. Instruments, devices or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of the user or others.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

(Amended by Ord. No. 8015 (N.S.) adopted 12-4-91)

(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

Def. A

**Adult Cabaret:** A nightclub, bar, juice bar, theater, restaurant bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, which regularly features: (a) persons who appear in a state of semi-nudity (nudity is prohibited per Chapter 18 of the Code of Regulatory Ordinances); or (b) films, motion pictures, videocassettes, slides, or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas".

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)  
(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

**Adult Drive-In Theater:** An open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of motion pictures, films, theatrical productions and other forms of visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats, and presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Adult Entertainment:** Any activity which falls within the list of defined terms found at Section 6930 d.

(Added by Ord. No. 8015 (N.S.) adopted 12-4-91)

**Adult Motel:** A motel, hotel, or similar commercial establishment which: (a) offers public accommodations for any form of consideration and which regularly provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas" and which regularly advertise the availability of such material by means of a sign visible from the public right of way or by means of any off-premises advertising, including but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television, and (b) offers a sleeping room for rent for a period of less time than ten (10) hours.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)  
(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

**Adult Motion Picture Theater:** A commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions which are characterized by their emphasis upon the exhibition or description of "specified sexual activities" or "specified anatomical areas" are regularly shown for any form of consideration.

**Specified Sexual Activities:**

1. Sex acts including intercourse, oral copulation, masturbation, or sodomy; or
2. Excretory functions as part of or in connection with any of the activities set forth in 1.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)  
(Amended by Ord. No. 7469 (N.S.) adopted 6-12-02)

**Adult Model Studio:** Any establishment open to the public where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons, other than the proprietor, paying such consideration or gratuity. The provision shall not apply to any school of art which is operated by an individual, firm, association, partnership, corporation or institution which meets the requirements established in the Education Code of the State of California for the issuance or conferring of, and is in fact authorized thereunder to issue and confer, a diploma.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Adult Arcade/Peep Show:** Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)  
(Amended by Ord. No. 9469 (N.S.) adopted 6-12-02)

**Adult Motion Picture Theater:** An establishment, with a capacity of fifty (50) or more persons, where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which is distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas for observation by patrons.

**Adult Theater:** A theater, concert hall, auditorium or similar establishment, either indoor or outdoor in nature, which, for any form of consideration, regularly features live performances which are distinguished or characterized by an emphasis on specified sexual activities or by exposure of specified anatomical areas for observation by patrons.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Agricultural Employee:** (See Farm Employee)

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Agricultural Homestay:** A working farm or ranch on which bedrooms are made available for rent in a farm or ranch house occupied by the farmer or rancher or in a single cabin or other small detached structure measuring no more than 500 square feet and where lodging and overnight sleeping accommodations are provided for a stay of no more than 14 days, either with or without meals.

(Added by Ord. No. 9470 (N.S.) adopted 6-12-02)

**Agricultural Zone:** A zone including a use regulation set forth in Sections 2700 through 2799, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

Def. A

Aircraft: Any contrivance, now known or hereafter invented, used or designed for navigation of or flight in the air. "Aircraft" does not include ultralight vehicle as defined by this ordinance.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)  
(Amended by Ord. No. 7197 (N.S.) adopted 9-10-86)

Airport: Any area of land, water or a structure which is used or intended for use for the landing and taking off of aircraft and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon.

(Added by Ord. 5508 (N.S.) adopted 5-16-79)

Alley: A public or private way permanently reserved as a secondary means of access to abutting property.

Amendment: Any change, modification, deletion, or addition to the wording, text or substance of the Zoning Ordinance, or any change, modification, deletion or addition to the application of the Zoning Ordinance to property within San Diego County, including any alteration in the boundaries of a zone, when adopted by ordinance passed by the Board of Supervisors in the manner prescribed by law.

Anatomical Areas: (See Specified Anatomical Areas)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Animal, Large: Limited to bovine animals, sheep, goats, and swine.

Animal Regulations: That element of a zone which indicates, by means of a letter designator, the regulations pertaining to the keeping of animals.

(Added by Ord. No. 8166 (N.S.) adopted 10-21-92)

Animal, Small: Poultry, rabbits, chinchillas, hamsters, and other small domesticated animals other than a large animal or specialty animal.

Animal, Specialty: Including, but not limited to, fish, furbearing animals, wild or undomesticated animals, amphibians, insects and birds, other than large or small animals.

Animal Waste Processing: The processing of animal waste and byproducts including but not limited to animal manure, animal bedding waste, a similar byproduct of an animal raising agricultural operation, for use as a commercial fertilizer or soil amendment and including composting operations.

Apartment Hotel: A building or portion thereof designed for or containing both individual guest rooms or suite of rooms and dwelling units.

**Approach-Departure Path:** The flight track of a helicopter as it approaches or departs from the helicopter facility's designated take-off and landing area.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

**Aquaculture:** A form of agriculture devoted to the controlled growing and harvesting of fish, shellfish, and plants in marine, brackish, and fresh water.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Attached:** (See Building Type; Nonresidential)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Attached, Three to Eight Dwelling Units:** (See Building Type, Residential)

**Attic Story:** Any story situated wholly or partly in the roof, so designated, arranged or built as to be used for business, storage, or habitation. An attic story shall be counted as a story.

**Automobile Wrecking:** The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of 5 or more motor vehicles which for a period exceeding 30 days have not been capable of operating under their own power, and from which parts have been or are to be removed for reuse or sale shall constitute prima facie evidence of an automobile wrecking yard.

#### DEFINITIONS (B)

**Barn:** A building used for the shelter of livestock raised on the premises, the storage of agricultural products produced or consumed on the premises, or the storage and maintenance of farm equipment and agricultural supplies used for the agricultural operations on the premises.

**Basement:** Any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement unless such floor level qualifies as a first story as defined herein.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)

Def. B

**Bed and Breakfast Home:** A single-family dwelling in which more than two bedrooms are made available for rent on a less than weekly basis to provide lodging, including overnight sleeping accommodations and breakfast.

(Added by Ord. No. 7160 (N.S.) adopted 6-18-86)  
(Amended by Ord. No. 7363 (N.S.) adopted 8-19-87)  
(Amended by Ord. No. 7515 (N.S.) adopted 7-13-88)

**Bedroom:** Attached room which is intended, arranged, or designed to be occupied by one or more persons primarily for sleeping purposes and shall have an area of not less than 70 square feet or be less than 7 feet in any dimension with a closet opening on it or within it.

(Added by Ord. No. 6134 (N.S.) adopted 7-22-81)

**Bicycle Space:** An area that is permanently reserved and maintained for parking one bicycle either in an open rack or an enclosed structure or locker.

(Added by Ord. No. 5976 (N.S.) adopted 1-28-81)  
(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85)

**Bird:** An avian species other than poultry.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)  
(Amended by Ord. No. 6268 (N.S.) adopted 4-14-82)

**Block:** All property fronting upon one side of a street between intersecting and intercepting streets, or between a street and a right-of-way, waterway, terminus of dead end street, or city boundary. An intercepting street shall determine only the boundary of the block on the side of the street which it intercepts.

**Bluff:** A scarp or steep face of rock, decomposed rock, sediment or soil resulting from erosion, faulting, folding, filling or excavation of the land mass. The bluff may be simple planar or curved surface or it may be steplike in section.

(Amended by Ord. No. 5329 (N.S.) adopted 12-13-78)

**Bluff Edge:** The upper termination of a bluff. When the top edge of the bluff is rounded away from the face of the bluff as a result of erosional processes related to the presence of the steep bluff face, the edge shall be defined as that point nearest the bluff beyond which the downward gradient of the land surface increases more or less continuously until it reaches the general gradient of the bluff. In a case where there is a steplike feature at the top of the bluff face, the landward edge of the topmost riser shall be taken to the bluff edge. In those cases where irregularities, erosion intrusions, structures or bluff stabilizing devices exist on a subject property so that a reliable determination of the bluff edge cannot be made by visual or topographic evidence, the Director shall determine the location of the bluff edge after evaluation of a geologic and soil report.

(Added by Ord. No. 5329 (N.S.) adopted 12-13-78)

**Boarding:** The provision of lodging, including room and board to paying guests on a monthly or longer basis.

(Added by Ord. No. 7160 (N.S.) adopted 6-18-86)  
(Amended by Ord. No. 7363 (N.S.) adopted 8-19-88)

**Boarding or Breeding Stable:** A stable used for the boarding, breeding or raising of horses, including horses not owned by the occupants of the premises.

**Body Painting Studio:** Any establishment or business which provides the service of applying paint or other substance whether transparent or nontransparent to or on the human body when such body is wholly or partially nude in terms of specified anatomical areas.

(Added by Ord. NO. 5840 (N.S.) adopted 7-30-80)

**Bookstore:** (See Adult Bookstore and General Bookstore)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Borrow Pit:** Premises from which soil, sand, gravel, decomposed granite or rock are removed for any purpose except:

1. Where such removal is to complete within one year from the commencement of such removal the grading of land in accordance with a grading plan for a subdivision map or a division of such land created pursuant to a parcel map filed in accordance with Division 2, Title 8 of the San Diego County Code, which grading plan has been approved by the Director of Public Works as being reasonably necessary and incidental to the development and improvement of the premises in accordance with such final map or parcel map; or

Def. B

2. Where such removal is to complete within one year from the commencement of such removal the grading of land in accordance with a grading plan for the preparation of a site for a building or structure, for which plans have been checked and approved by the Director pursuant to Division 1 of Title 5 of the San Diego County Code, which grading plan has been approved by the Director of Public Works or Director as being reasonably necessary and incidental to the construction of such building or structure; or
3. Where such removal is to complete within one year from the commencement of such removal the grading of land in accordance with a grading plan for the preparation of a site for vehicle parking areas or similar areas, which grading plan has been approved by the Director of Public Works or Director as being reasonably necessary and incidental to the development of such area; or
4. Where such removal is incidental to the operation of a mine; or
5. Where the removal is to complete within one year from the commencement of such removal the grading of land in accordance with a grading plan approved by the Director as being reasonably necessary and incidental to the use of the premises in accordance with a use permit issued pursuant to the Zoning Ordinance; or
6. Where such removal does not exceed 500 cubic yards; or
7. Where the Director of Public Works and Director concur that the proposed grading is reasonably necessary to provide material exclusively for a specific County project authorized by the Board of Supervisors. That determination shall be made only after the Director of Public Works and Director have reviewed grading plans for the site from which borrow or waste is to be removed, grading plans or public road improvement plans for the site where that material is to be placed, and any contracts or agreements executed by the County for such grading; or
8. Where such removal is to extract and export from a watercourse 500 or more cubic yards necessary to repair flood damage pursuant to the required maintenance of a watercourse on property in accordance with Division 8, Title 8 of the San Diego County Code and the emergency watercourse permit issued by the Director of Public Works or the Board of Supervisors.
9. Where such removal is to complete within one year from commencement of such removal the grading of land for the preparation of a site for future development; provided (1) the premises from which the material is removed are located in a commercial or industrial zone (2) the sale of any material removed is secondary to such purpose,



(3) on-site processing of any material to be removed is prohibited, (4) such removal and grading of land is in accordance with an approved grading plan, (5) the removal and grading would not have a significant detrimental effect on the site or surrounding area, and (6) an administrative permit for such removal and grading is approved by the Director.

(Amended by Ord. No. 6298 (N.S.) adopted 5-26-82)

(Amended by Ord. No. 6133 (N.S.) adopted 7-22-81)

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

Building, Accessory: (See Accessory Building)

Building, Facing: The linear length of a building or portion of a building occupied by a single establishment.

Building Height: (See Height, Building)

Building, High Rise: Any building over 55 feet in height.

(Added by Ord. No. 9935 (N.S.) adopted 4-23-08)

Building, Main: (See Main, Building)

Building, Multiple-Entrance: Any nonresidential structure which provides primary access from sidewalks, parking areas, external balconies or arcades, or other public areas directly into any one of two or more individual tenant/user spaces in such structure without requiring passage through a common hallway, entry way or courtyard.

(Added by Ord. No. 6092 (N.S.) adopted 7-1-81)

Building Site: One or more legally created lots when used in combination for a building or group of buildings together with all open spaces as required by this ordinance. (See Lot Area, Net).

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

Building Site Front: (Deleted by Ordinance No. 7576 (N.S.) Adopted 1-11-89)

Building Type: The development designator intended to regulate the structural types and arrangements of buildings, and the arrangement of uses within them.

Building Type, Mixed Residential-Nonresidential: That group of building types comprising the following:

1. Limited: A structure or structures containing one or more dwelling units in any vertical or horizontal arrangement and in which principal nonresidential use types are located only at the ground level, or at any level below the ground level of the building or structure.

**Def. B**

2. **Unlimited:** A structure or structures containing one or more dwelling units in any vertical or horizontal arrangement and in which principal nonresidential use types may be located on any level of the building or structure.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Building Type, Nonresidential:** That group of building types comprising the following:

1. **Detached:** A building, freestanding and structurally separated from other buildings, located on a lot or building site which may be occupied by other buildings.
2. **Attached:** Two or more main buildings placed side-by-side so that some structural parts are touching one another, located on a lot or building site or portion thereof which may be either occupied or unoccupied by other main buildings.

**Building Type, Residential:** That group of building types comprising the following:

1. **Single Detached:** One dwelling unit, freestanding and structurally separated from any other dwelling unit or building, located on a lot or building site which is unoccupied by any other dwelling unit.
2. **Double Detached:** (See Duplex).
3. **Semi-Detached:** One dwelling unit, which is placed side-by-side and touching another dwelling unit or its garage, both of which are located on separate lots or building site unoccupied by any other dwelling unit.
4. **Duplex:** Two dwelling units placed side-by-side, which may be attached or detached, both of which are on a lot or building site which is unoccupied by any other dwelling unit.
5. **Triplex:** A multiple dwelling limited to three dwelling units arranged side-by-side or vertically so that some structural parts are touching one another, but freestanding and structurally separated from any other dwelling units, all of which dwelling units are located on a lot or building site which is unoccupied by any other dwelling unit.
6. **Stacked:** Dwelling units arranged vertically so that one dwelling unit is placed above or below the other. The number of dwelling units shall not exceed the number permitted by the same building designator for other types of residential buildings.

7. Attached, Three to Eight Dwelling Units: 3 to 8 dwellings placed side-by-side so that some structural parts are touching one another, located on separate lots which are unoccupied by any other dwelling units.
8. Multi-Dwelling: A structure or structures containing a total of 3 or more dwelling units in any vertical or horizontal arrangement on a single lot or building site.

(Amended by Ord. No. 5768 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85)

**Bulk Reverse Vending Machine:** A grouping of reverse vending machines occupying more than 50 square feet, designed to accept more than one container at a time and paying by weight instead of by container.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

**Business or Commerce:** The purchase, sale or other transaction involving the handling or disposition of any article, service, substance or commodity for livelihood or profit; the management of office buildings, offices, recreational or amusement enterprises; or the maintenance and use of offices, structures and premises by professions and trades rendering services; or the use or leasing of land for promotion, display, or sales of mobilehomes or for the limitation of consumer choice as to services or products to be used in any mobilehome park to any one seller or group of sellers.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)

#### DEFINITIONS (C)

**Cabana:** A portable, demountable, or permanent room enclosure or other building erected or constructed for the use of the occupant of the mobilehome for human occupancy.

**Cabaret:** (See Adult Cabaret)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Cable Television (CATV) System:** Any facility which, in whole or in part, receives directly or indirectly from the air and amplifies or otherwise modifies electronic or microwave signals transmitting programs broadcast by one or more television stations and/or originates or purchases programs or electronic or microwave signals and distributes such signals or any of them by wire or cable to subscribing members of the public who pay for such service.

Def. C

California Coastal Zone: That portion of the Coastal Zone described in Section 30103 of the California Coastal Act of 1976 (Public Resources Code Section 20000 et seq.) which is within the unincorporated territory of the County of San Diego.

(Added by Ord. No. 6743 (N.S.) effective 1-11-85)

Caretaker: A person who takes care of a parcel or building.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

Cargo Container: Any portable, reusable container generally referred to as a sea cargo container or cargo container and primarily designed or used for transporting freight by commercial transportation. When used for any purpose other than transporting freight a Cargo Container is a structure.

(Added by Ord. No. 9844 (N.S.) adopted 4-18-07)

Carport: A type of garage which is a roofed structure, or a portion of a building, open on 2 or more sides primarily for the parking of automobiles belonging to the occupants of the property.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

Cat: A feline that has reached the age of 4 months.

Categorical Exemption: Certain classes of projects found by the Secretary for Resources of the State of California not to have substantial adverse effects on the environment, and thus are exempt from the EIR requirement.

Cellar: That portion of a building between floor and ceiling which is wholly or partly below grade (as defined in these regulations) and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

Cemetery: Land used or intended to be used for the burial of one or more dead human bodies or cremated remains thereof, including columbariums, crematories, mausoleums and mortuaries when operated in conjunction with and within the boundary of such cemetery.

(Amended by Ord. No. 7850 (N.S.) adopted 1-16-91)

Certified Recycling Facility: A recycling facility which has been certified by the California Department of Conservation as meeting the requirements of the California Beverage Container and Litter Reduction Act of 1986.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

Chimney: A hollow shaft containing one or more passages vertical or nearly so, for conveying products of combustion.

Child Care Center: A state-licensed facility of any capacity other than a family day care home for children in which less than 24 hour per day nonmedical care and supervision is provided for children in a group setting.

(Added by Ord. No. 6782 (N.S.) adopted 5-16-84)

**Church:** An institution which people regularly attend to participate in or hold religious services, meetings and other activities. The term "church" shall not carry a secular connotation, and shall include buildings in which the religious services of any denomination are held.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Civic Plaza:** Property owned by a public or non-profit civic organization for purposes of accommodating the public in the conduct of outdoor events of general community interest including, but not limited to, assemblages of persons for: hobby shows; club meetings; the display and/or sale of art and craft objects; farmer's market, home-grown agricultural products only; and, passive recreational uses.

(Added by Ord. No. 8581 (N.S.) adopted 9-20-95)

**Clinic:** Any place, establishment or institution which operates under the name or title of clinic, dispensary, health center, medical center, or any other work or phrase of like or similar import, either independently or in connection with any other purpose, for the purpose of furnishing at the place, establishment, or institution, advice, diagnosis, treatment, appliances or apparatus, to persons not residing or confined in the place, establishment, or institution, and who are afflicted with bodily or mental disease or injury.

**Closet:** Small room or recess primarily designed to store wearing apparel.

(Added by Ord. No. 6134 (N.S.) adopted 7-22-81)

**College:** A college, junior college or university supported by public funds, or a private college, junior college or university which gives comparable general academic instruction and degrees.

**Columbarium:** A structure, room, or other space in a building or a sepulchral vault containing niches or recesses in the walls for the inurnment of cremated human remains.

(Added by Ord. No. 9151 (N.S.) adopted 5-10-00)

**Commercial Vehicle:** A vehicle primarily designed, maintained or used to transport, for compensation, one or more persons or property of any kind. A vehicle primarily designed to transport one or more persons or property for compensation, whether or not it is being used or has been used for that purpose, is a commercial vehicle. A commercial vehicle includes, but is not limited to, a truck, truck tractor, trailer, semi-trailer and bus.

(Added by Ord. No. 9935 (N.S.) adopted 4-23-08)

**Commercial Zone:** A zone including a use regulation set forth in Sections 2300 through 2499, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Common Area:** That area which will be maintained by a homeowners association, County service area, or other form of cooperative organization. For purposes of these regulations, "common area" does not include open space which cannot legally be disturbed.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

Def. C

**Concrete Batch Plant:** Mixing plants for Portland cement concrete, transit concrete mixing plants, sand, gravel and cement mixing plants and soil cement mixing plants.

**Concurrent Use Permit:** (See Use Permit, Concurrent)

**Construction:** The placement of construction materials in their permanent position fastened in a permanent manner.

**Convenience Zone:** An area within a one-half mile radius of a supermarket. A "supermarket" for purposes of this ordinance is defined as a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000) or more, and which sells a line of dry grocery, canned goods, or non-food items and some perishable items.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

**Corner Cut-Off Area:** An area provided and maintained for adequate and safe visibility for vehicular and pedestrian traffic at intersections of streets, alleys, or private driveways.

**County Park:** Any park, community center, museum, beach park, or recreation facility, owned by, leased by, or under the control of the County.

(Added by Ord. No. 6615 (N.S.) adopted 6-22-83)

**DEFINITIONS (D)**

**Decorative Turf:** Turf used for purely ornamental purposes having no use other than aesthetics.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Density:** The number of dwelling units per acre.

**Designated Historic Landmark:** (See Historic Landmark)

(Added by Ord. No. 5330 (N.S.) adopted 12-13-78)

(Deleted by Ord. No. 7101 (N.S.) adopted 3-12-86)

**Designator:** The numbers or letters or combination of both which prescribe the regulations for the Use Regulations, Animal Regulations, Development Regulations, and Special Area Regulations. It appears on the zoning map and refers to names of Use Regulations, types of Animal Regulations, types of Development Regulations, or names of Special Area Regulations.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

**Detached:** (See Building Type, Nonresidential)

**Development Regulations:** That element of the zone which is represented by 9 designators corresponding to 9 aspects of physical development. These 9 aspects are: density, lot size, building type, maximum floor area, floor area ratio, height, coverage, setback, and useable open space. The Development Regulations regulate these subjects, by using the designators, in terms of certain minimum or maximum standards or of permitted buildings types.

Dog: A canine that has reached the age of 4 months.

Double Detached: (See Building Types, Residential)

Drive-In: (See Enclosure)

Drive-In Theater: (See Adult Drive-In Theater)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Drought-resistant Plant Materials: Trees, shrubs, ground covers, and other vegetation capable of sustained growth or reproduction with only natural moisture, and without any other irrigation or watering. The Director may specify the plants which are within the scope and intent of this definition.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

Drug Paraphernalia: The equipment, products and materials set forth in subdivision (d) of Section 11364.5 of the California Health and Safety Code.

(Added by Ord. No. 7649 (N.S.) adopted 07-17-89)

Duplex: (See Building Type Residential)

Dwelling: A building or portion thereof used exclusively for residential purposes, including one-family, two-family and multiple dwellings, but not including hotels, boarding and lodging houses.

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation, and having only one kitchen.

Dwelling, Multi: (See Building Type, Residential)

#### DEFINITIONS (E)

Easement: A recorded right or interest in the land of another, which entitled the holder thereof to some use, privilege or benefit out of or over said land.

Enclosed: (See Enclosure)

Enclosure: The degree that the storage and display of goods may be open and/or visible from public rights-of-way. The following are enclosure types:

1. Drive-In: Designed or operated so as to enable persons to receive a service or purchase or consume goods while remaining within a motor vehicle.
2. Enclosed: A roofed structure contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.

Def. E

3. Open: Unroofed or not contained on all sides by walls which are pierced only by windows, vents, or customary entrances and exits.
4. Semi-Enclosed: Contained on at least 50 percent of its perimeter by walls which are pierced only by windows, vents, or customary entrances and exits. The open sides of partially open structures shall not be visible from any public right-of-way.

Environmental Assessment: A formal evaluation process to determine whether a proposed project will have a significant impact on the environment.

EIR - Environmental Impact Report: A report by the appropriate San Diego County granting authority which analyzes the environmental effects of a proposed project pursuant to the Environmental Quality Act of 1970.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83.)

Essential Public Facility or Project: Any structure or improvement necessary for the provision of public services, which must be located in the particular location to service its purpose and for which no less environmentally damaging location, alignment, or non-structural alternative exists.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

Exterior Wall: (See Wall, Exterior)

#### DEFINITIONS (F)

Factory-Built Housing: A unit defined as "factory-built housing" by Section 19971 of the Health and Safety Code which has the approval of the Department of Housing and Community Development of the State of California.

Family: An individual, or 2 or more persons (related or unrelated) living together as a single housekeeping unit in a dwelling unit.

(Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)

Family Care Home: A state-authorized, certified, or licensed family care home, foster home, or group home serving six or fewer elderly, mentally disordered or otherwise handicapped persons or dependent and neglected children and providing such care and service on a 24-hour-a-day basis. No facility shall qualify as a family care home if it is operated in such manner that facilities, activities, or events thereon are shared by more than 6 elderly, mentally disordered or otherwise handicapped persons or dependent and neglected children.

(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)

Family Care Institution: A state-authorized, certified, or licensed family care home, foster home, or group home which does not qualify as a family care home.



**Family Day Care Home for Children, Large:** A state-licensed family day care home serving nine to fourteen children where care, protection and supervision are regularly provided in the caregiver's own home for periods of less than 24 hours per day, while the parents or guardians are away. The number of children shall include children under the age of 10 years who reside at the home.

(Added by Ord. No. 6782 (N.S.) adopted 5-16-84)  
(Amended by Ord. No. 7743 (N.S.) adopted 3-28-90)  
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

**Family Day Care Home For Children, Small:** A state-licensed family day care home serving eight or fewer children where care, protection and supervision are regularly provided in the caregiver's own home for periods of less than 24 hours per day, while the parents or guardians are away. The number of children shall include children under the age of 10 years who reside at the home.

(Added by Ord. No. 7743 (N.S.) adopted 3-28-90)  
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

**Farm Employee:** Any person who derives more than half of their total livelihood in the service of another person as an employee engaged in farming in any of its branches, including cultivation and tilling of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural or horticultural commodities, the raising of livestock, bees, fur-bearing animals, or poultry, and the preparation of farm products for market and delivery to storage or to market or to carriers for transportation to market. "Farm Employee" does not include the owner or lessee of a particular property, or a person engaged in construction, alteration, painting, or repair of a structure, logging, or land surveying. "Farm Employee" may include a person engaged in brush or timber clearing, land grading or leveling when such activity is being carried out in preparation for farming.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
(Amended by Ord. No. 7110 (N.S.) adopted 4-2-86)

**Farm Employee Housing:** Living units for one to four farm employees and their families. This is an accessory use subject to Section 6156.u.

(Added by Ord. No. 7790 (N.S.) adopted 08-01-90. This ordinance will expire on August 31, 1993, unless extended in connection with GPA 93-02)

**Fence, Non-View-Obscuring:** (See Fence, Open)

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

**Fence, Open:** A fence (and the gates in such fence) which permits direct vision through at least 80 percent of any one square foot segment of fence surface.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

**Def. F**

**Fence, Solid:** A fence (and the gates in such fence) constructed of solid material through which no visual images or light may be seen. Openings in such fence (and its gates when closed) shall not exceed 2 percent of any one square foot segment of the fence's surface which is more than 8 inches above the ground.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

**Fence, View-Obscuring:** A fence (and the gates in such fence) whose surface is covered by solid or opaque material through which no visual images may be seen. Openings in such a fence (and its gates when closed) shall not exceed 20 percent of any one square foot segment more than 8 inches above the ground, nor shall any opening exceed one-half inch in width. Woven wire or chain link fences containing slats are not view- obscuring fences.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

**Fill:** Any material or substance which is deposited, pushed, dumped, pulled or otherwise transported or moved to a new location for the purpose of elevating an area above the floodplain. Examples of fill materials include but are not limited to earth, excavated or dredged materials, sand, gravel, rock, asphalt, refuse and concrete rubble.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Flood:** A general and temporary condition of partial or complete inundation of normally dry land area lying outside normal stream channel as a result of one or more of the following occurrences or conditions - the overflow of inland or tidal waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

**Flood, 10-Year:** A flood estimated to occur at an average of once in 10 years (10 percent frequency of occurrence) which is determined from an analysis of historical flood and rainfall records and computed in accordance with the San Diego County Standard approved by the Board of Supervisors on May 19, 1970, and filed with the Clerk of the Board of Supervisors as Document NO. 427201.

**Flood, 100-year:** A flood estimated to occur at an average of once in 100 years (one percent frequency of occurrence), determined from an analysis of historical flood and rainfall records and computed in accordance with the San Diego County Standard approved by the Board of Supervisors on May 19, 1970, and filed with the Clerk of the Board of Supervisors as Document No. 427201.

**Floodplain:** The relatively flat area of low lands adjoining, and including, the channel of a river, stream, watercourse, bay, or other body of water which is subject to inundation by the flood waters of the one-hundred year frequency flood as shown on flood plain maps approved by the Board of Supervisors.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Floodplain Fringe:** The area within the floodplain that is not the floodway.

(Amended by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Floodway:** All that land as determined by the Director of Public Works, which meets the following criteria:

- a. The floodway shall include all areas necessary to pass the 100-year flood without increasing the water surface elevation more than one foot, or in the case of San Luis Rey River, San Dieguito River, San Diego River, Sweetwater River, and Otay River, upon adoption by the Board of Supervisors of revised floodplain maps which so specify, the increase shall be no more than 2/10 of one foot.
- b. The floodway shall include all land necessary to convey a ten-year flood without structural improvements.
- c. To avoid creating erosion and the need for channelization, rip-rap or concrete lining, the floodway will not be further reduced in width when the velocity at the floodway boundary is six feet per second or greater.
- d. Floodways are determined by removing equal conveyance (capacity for passing flood flow) from each side unless another criterion controls.

(Amended by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Floor Area:** The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

**Floor Area, Gross:** The area included within the surrounding walls of a building plus any roofed, partially roofed or open area customarily used for display or business operations. Interior open court may be exempt if not used for display or business operations.

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85)

Def. F

**Floor Area, Ground:** The gross horizontal area of that floor which is located at the ground level of a building or structure.

**Floor Area, Ratio:** The numerical value obtained by dividing the gross floor area of a building or buildings located upon a lot or building site by the net site area of such lot or building site.

**Food Sales Push Cart:** A mobile food establishment on/in which food is prepared, stored or displayed for the purpose of sale or given away without charge. This does not include self propelled vehicles or trailers which are designed so as to allow a person to be within such mobile food establishment.

(Added by Ord. No. 6761 (N.S.) adopted 4-25-84)

**Frontage:** The length of any one property line of a premises, which property line abuts a legally accessible street right-of-way.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

#### DEFINITIONS (G)

**Game Of Skill Or Amusement:** Any mechanical, electrical, electronic, or video machine, device or apparatus, or combination thereof, the operation or use of which is permitted, controlled, allowed or made possible by the deposit or placing of any coin, plate, disk, slug or key into any slot, crevice or other opening or by the payment of any fee or fees, for the use as a game, contest or amusement of any description, or which may be used for any such game, contest or amusement, and the use or possession of which is not prohibited by any law of the State of California. This definition shall include video games which generate or display a computer or electronically created image on a screen, but shall exclude a "peep show device."

(Added by Ord. No. 8015 (N.S.) adopted 12-4-91)

**Garage, Parking:** (See Parking Garage)

**Garage, Private:** (See Private Garage)

**Garage, Public:** (See Public Garage)

**Gate Entry Structure:** A structure located over or near ways of ingress and egress designed to identify an entrance or exit point for pedestrian or vehicular access to private property. Gate entry structure includes, but is not limited to, posts, columns, pilasters or other elements whether free standing or part of a wall or fence, and any associated gate. A post or other support element which does not exceed the permitted fence height and functions only to support a gate shall not be considered a gate entry structure.

(Added by Ord. No. 8246 (N.S.) adopted 5-19-93)

**General Bookstore:** An establishment engaged in the buying, selling and/or trading of new and/or used books, manuscripts and periodicals of general interest. A general bookstore does not include an establishment that is encompassed by the definition of adult bookstore.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**General Motion Picture Theater:** A building or part of a building intended to be used for the specific purposes or presenting entertainment as defined herein, or displaying motion pictures, slides, or closed circuit television pictures before an individual or assemblage of persons, whether such assemblage be of a public, restricted or private nature, except a home or private dwelling where no fee, by way of an admission charge, is charged; provided, however, that any such presentations are not distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas in that any such depiction or description is only incidental to the plot or story line. A general motion picture theater does not include any establishment that is defined by Adult Motion Picture Theater, Adult Mini-Motion Picture Theater, Adult Motion Picture Arcade, or Adult Drive-In Theater.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Grade:** For the purpose of determining building height and calculating the number of stories, grade is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, or when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

(Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)

**Grass, Cool Season:** Species of turfgrass best adapted to growth during cool, moist periods of the year, having temperature optimums of 15 to 24 degrees centigrade; e.g., bentgrasses, bluegrasses, fescues, and ryegrasses.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Grass, Warm Season:** Species of turfgrass best adapted to growth during the warmer part of the year; usually dormant during cold weather; commonly having temperature optimums of 27 to 35 degrees centigrade, e.g., bermudagrass, St. Augustine grass, and zoysiagrass.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

Def. G

**Green Waste:** Wood and excess plant material derived from the maintenance or trimming of trees, lawns, landscaped areas or areas of agricultural production and consisting of such organic waste as brush, leaves, garden wastes, orchard and vineyard prunings and crop residues.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

**Gross Floor Area:** (See Floor Area, Gross)

(Added by Ord. No. 6940 (N.S.) adopted 4-10-85)

**Gross Lot Area:** (See Lot Area, Gross)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

**Groundcover:** A planting of low plants, either herbaceous or woody, that cover the ground.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Ground Floor Area:** (See Floor Area, Ground)

**Groundwater Extraction Operation:** Any property containing a well, spring box or other device through which groundwater is collected or extracted for sale. Groundwater Extraction Operations includes all appurtenant structures and facilities associated with the collection, extraction, storage, transfer and transportation of the groundwater, whether or not such appurtenant structures and facilities are located on the same legal lot as that from which the groundwater is collected or extracted. Groundwater Extraction Operation does not include the following:

1. Incidental and occasional sale or transport of water in amounts up to 5,000 gallons per any consecutive seven day period, except when in the residential zones and the S80 Open Space and S81 Ecological Resource Area zones.
2. Water vending by machine, as allowed by Section 6156 ee.
3. Wells serving public water supply systems, as permitted by the County Department of Environmental Health or the State Department of Health Services, which distribute water through pipelines for domestic purposes.
4. Wells providing water only to public agencies to protect the public welfare for emergency uses such as for fire suppression and during temporary drought conditions, and/or for otherwise exempt uses.

5. Wells and springs providing water only to irrigate any agricultural enterprise, as defined in Section 63.403(d) of the San Diego County Code of Regulatory Ordinances, that would not require transport on any public street or highway, and/or for otherwise exempt purposes.
6. Wells providing water exclusively to four or fewer contiguous residential parcels.

(Added by Ord. No. 8050 (N.S.) adopted 4-8-92)  
(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

**Guest Living Quarters:** Living quarters attached to a primary dwelling unit without interior access or within a detached accessory building, which are for the sole use of persons employed on the premises or for temporary use by guests of the occupants of premises. Guest living quarters have neither kitchen facilities nor laundry facilities and are not rented or otherwise used as a separate dwelling. The total floor area of a guest living quarters shall not exceed 600 square feet or twenty-five percent (25%) of the square footage of the primary dwelling, whichever is greater.

(Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)(Formerly Guest House)  
(Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)  
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)  
(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

#### DEFINITIONS (H)

**Habitable Space:** A space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.

(Added by Ord. No. 6654 (N.S.) adopted 9-21-83)

**Hardscape:** Patterned paving material (i.e., tile or mortared pavers, wood timbers, colored patterned concrete providing a tile, brick or stone appearance), or an integral continuation of patterned paving material with enhanced concrete such as exposed aggregate, colored or salt finish.

(Added by Ord No 7735 (NS) adopted 3-13-90; operative 10-01-90)

**Height, Building:** The vertical distance above a referenced datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hipped roof. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or ground surface within a 5-foot horizontal distance of the exterior wall of the building when such sidewalk or ground surface is not more than 10 feet above lowest grade.

Def. H

2. An elevation 10 feet higher than the lowest grade when the sidewalk or ground surface described in Item 1 above is more than 10 feet above lowest grade.

The height of a stepped or terraced building is the maximum height of any segment of the building.

(Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)

Helicopter: A heavier than air aircraft that can take-off and land vertically or near vertically.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Helipad: An area located on a commercial or public structure used for the take-off and landing of helicopters for the purpose of picking up or discharging passengers or cargo, but not including fuel service, maintenance or overhaul.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Heliport: An area of land or water used for the take-off and landing of helicopters which area includes passenger and cargo facilities, maintenance and overhaul, fueling service, storage space, tie-down space, other accessory buildings, and open spaces.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Helistop: An area of land, water or structure which is not designated as either a heliport or a helipad, used for the take-off and landing of a helicopter which is owned or controlled by the owner or occupant of the premises. Helistops are limited to tie-down or hangar facilities for the accommodation of a single helicopter. A helistop shall not include facilities for fuel service, maintenance or overhaul and shall not accommodate helicopters used for common carriers.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

Historic/Archaeological District: For purposes of this ordinance the term "Historic/Archaeological District" shall be defined as an area which has been identified as containing multiple historic, cultural, architectural and/or archaeological resources that have been recognized by the application of a special area designator pursuant to Section 5703 of this ordinance to promote the preservation, protection and perpetuation of the historic, archaeological, architectural and/or cultural values.

(Added by Ord. No. 7101 (N.S.) adopted 3-12-86)

(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)



**Historic/Archaeological Landmark:** For the purpose of this ordinance the term "Historic/Archaeological Landmark" shall mean a single site, including the associated buildings, structures and plant life, which is considered to have historic and/or prehistoric significance due to its association with past events of historical, cultural, architectural and/or archaeological value and which has been recognized by the Board of Supervisors by the application of a special area designator pursuant to Section 5703 of this ordinance.

(Added by Ord. No. 5330 (N.S.) adopted 12-13-78)

(Amended by Ord. No. 7101 (N.S.) adopted 3-12-86)

(Amended by Ord. No. 8114 (N.S.) adopted 7-29-92)

**Home Occupation:** An occupation customarily conducted as an accessory use to a residential use entirely within a building containing a residential use or an attached garage.

(Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)

**Horse:** A horse is an equine that has reached the age of 8 months.

**Horsekeeping:** The keeping of horses in an accessory building or on premises where the horses are owned by the occupants of the premises, and where no horses are kept for hire. In residential use regulations only incidental sale of personal horses is permitted; no sale of horses as a business is allowed.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

**Hospital:** An institution which specializes in giving clinical, temporary and emergency services of a medical or surgical nature to injured persons and which maintains and operates 24-hour inpatient services for the diagnosis and treatment of patients. Any hospital shall be so licensed by the State Department of Health.

(Amended by Ord. No. 5330 (N.S.) adopted 12-13-78)

**Host Home:** A single-family dwelling in which no more than two bedrooms are made available for rent on a less than weekly basis to provide lodging, including overnight sleeping accommodations and breakfast.

(Added by Ord. No. 7160 (N.S.) adopted 6-18-86)

(Deleted by Ord. No. 7363 (N.S.) adopted 8-19-87) (See Bed and Breakfast Home)

(Added by Ord. No. 7515 (N.S.) adopted 7-13-88)

**Housing Assistance Plan:** The Housing Assistance Plan adopted by the Board of Supervisors as part of the application for community development block grants from the federal government.



## DEFINITIONS (I)

**Incidental Landing Area:** An area of land, water or structure which is not designated as a heliport, helipad or helistop and is required for the landing of helicopters for emergencies, public service or maintenance activities and is not a permanent landing or storage area for a helicopter.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

**Industrial Zone:** A zone including a use regulation set forth in Sections 2500 through 2599, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

## DEFINITIONS (J)

**Junk:** Means secondhand or used machinery, equipment, appliances, furniture, motor vehicle parts, tires, lumber, rope, bottles, pipe, wire, drums, scrap metal, construction material, packaging material, including items made of or containing wood, metal, paper, plastic, clay, brick, glass, porcelain, rubber, concrete, or other personal property.

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

**Junkyard:** Any parcel, lot, contiguous lots or portions thereof used for dismantling, salvage, outside storage, purchase, sale, or exchange of junk, or containing any activity in the Scrap Operations use type. It is not an exception to this definition that a person intends or proposes to use the junk for some purpose.

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

## DEFINITIONS (K)

**Kennel:** Any lot, building, structure, enclosure or premises whereupon or wherein are kept seven or more dogs, cats or similar small animals in any combination, whether such keeping is for pleasure, profit, breeding, or exhibiting, and including places where dogs or cats or similar small animals in any combination are boarded, kept for sale, or kept for hire.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

**Kitchen:** Any room used or intended or designed to be used for cooking or the preparation of food, including any room having a sink and either a 3/4 inch gas opening or provision for an electric stove.

Def. L

## DEFINITIONS (L)

**Legitimate or Live Theater:** A theater, concert hall, auditorium or similar establishment which, for any fee or consideration, regularly features live performances which are not distinguished or characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas in that any such depiction or description is only incidental to the primary purpose of the performance.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Limited:** (See Building Type, Mixed Residential-Nonresidential)

**Living Area:** The floor area under the roof of a dwelling unit that is contained within the interior surface of its perimeter walls, except as follows: Living area does not include garages; appurtenant structures accessible only from the outside; attics, basements, and enclosed patios not designed, intended, and constructed for human habitation; and any room or area primarily devoted to any accessory or secondary use.

(Added by Ord. No. 8409 (N.S.) adopted 6-1-94)

**Living Unit:** Any building or vehicle designed or used for human habitation, including, but not limited to a dwelling, guest house, accessory living quarters, farm employee housing, farm labor camp, transient habitation unit, or mobilehome.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Loading Space:** An area, other than a street or alley, on the same lot with a building or a group of buildings which is permanently reserved and maintained for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

**Lot:** Any of the following:

1. A parcel of real property shown as a delineated parcel of land with a number or other designation on a final map of subdivision recorded in the office of the County Recorder of San Diego County; or
2. A parcel of land, the dimensions or boundaries of which are defined by a Record of Survey Map recorded in the office of the County Recorder of San Diego County in accordance with the law regulating the subdivision of land; or
3. A parcel of real property not delineated in (1) or (2) above, and containing not less than the prescribed minimum area required in the zone in which it is located and which abuts at least one street and is held under one ownership.

**Lot Area:** The total area exclusive of street within the boundary lines of a lot.

**Lot Area, Gross:** The total area of a legally created parcel including:

1. All private streets and other easements (such as open space easements) where the underlying property is held in fee title.
2. The area to the centerline of any abutting Non-Circulation Element Route public street right-of-way, and
3. Only the 30 foot local interest portion of any abutting Circulation Element Route street right-of-way shall be included.
4. The area within any trail easement dedicated pursuant to the County Trails Program.

(Added by Ord. No. 6855 adopted on 10-10-84)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

**Lot Area, Net:** The gross area of a parcel minus:

1. The area of any street right-of-way,
2. Any fenced flood control or walkway easement. The area within any trail easement dedicated pursuant to the County Trails Program shall not be subtracted from the gross area of a parcel to calculate the Net Lot Area.
3. Irrevocable offers of dedication when the property is within an urban classification of the General Plan; and
4. The area contained in the panhandle of a panhandle lot when the lot is in a zone where the minimum required lot size is 10,000 square feet or less.

(Added by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

**Lot, Corner:** A lot situated at the angle point of a street or the intersection of 2 or more streets, which has an angle of intersection of not more than 135 degrees. Such a lot shall comply with the required setbacks for both front and exterior side yards.

(Amended by Ord. No. 6924 (N.S.) adopted 2-20-85)

(Amended by Ord. No. 9690 (N.S.) adopted 12-15-04)

**Lot Coverage:** The percentage of net site area covered by the vertical projection of any structure excluding any structure not extending above grade.

**Lot, Interior:** A lot other than a corner lot.

**Lot Depth:** The horizontal length of a straight line connecting the bisecting points of the front and rear lot lines.

**Def. L**

**Lot Line, Front:** The line separating the front of the lot from the street. When a lot or building site is bounded by a public street and one or more alleys or private street easements or private streets, the front lot line shall be the nearest right-of-way line of the public street.

**Lot Line, Rear:** The record lot line or lines most distant from and generally opposite the front lot line, except that in the case of an interior triangular or goreshaped lot, it shall mean a straight line 10 feet in length which (a) is parallel to the front line or its chord and (b) intersects the 2 other lot lines at points most distant from the front lot line.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Lot Line, Side:** Any lot boundary line not a front lot line or a rear lot line.

**Lot, Mobilehome:** (See Mobilehome Lot)

**Lot, Panhandle:** A panhandle lot is a lot where a portion of the lot is less than 35 feet wide for a distance of 50 feet or more and which is designed or used to provide pedestrian or vehicular access to the part of the lot which is designed for use as a building site.

(Amended by Ord. No. 6855 adopted 10-10-84)

**Lot Size:** (See Lot Area)

(Amended by Ord. No. 6855 adopted on 10-10-84)

**Lot, Through:** A lot fronting on 2 parallel or approximately parallel streets.

**Lot Width:** The horizontal distance between the side lot lines measured at right angles to the line comprising the depth of the lot at a point midway between the front and rear lot lines.

**Low-Income Family:** (See Low-Income Household)

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)

**Low-Income Household:** A household having an annual income not more than 80 percent of the median household income in the County of San Diego for a given household size as determined by the U.S. Department of Housing and Urban Development.

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)

**Low-water Consuming Plant Materials:** (See Drought-resistant Plant Materials)

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Lower-Income Family:** (See Lower-Income Household)

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)

**Lower-Income Household:** A household which cannot obtain decent, safe, and sanitary housing without assistance, as determined pursuant to standards established by the Board of Supervisors.

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)

#### DEFINITIONS (M)

**Main Building:** A building or structure which is devoted primarily to a principal use or uses; or, the only building on a lot or building site.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Major Use Permit:** (See Use Permit, Major)

**Manufactured Home:** (See Mobilehome)

(Added by Ord. No. 6215 (N.S.) adopted 1-13-82)

**Manufacturing Zone:** A zone including a use regulation set forth in Sections 2500 through 2599, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Massage Parlor:** An establishment where, for any form of consideration, massage, alcohol rub, fomentation, electric or magnetic treatment, or similar treatment or manipulation is administered, unless such treatment or manipulation is administered by a medical practitioner, chiropractor, acupuncturist, physical therapist or similar professional person licensed by the State of California.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

**Master Antenna Television (MATV) System:** A facility as described in Cable Television (CATV) System, but differentiated from the definition of a (CATV) System by virtue of (a) serving fewer than 50 subscribers, or (b) serving only the residents of an apartment dwelling under common ownership and consisting of not more than two buildings, or (c) providing service without charge.

**Materials Recovery Facility:** A facility that accepts source-separated or commingled recyclable materials, usually in an enclosed building, from collection facilities and the public; processes the materials into resalable condition, and markets the materials to companies for reuse. The end-products are materials recovered through the process. A materials recovery facility is considered to be a General Industrial use type and as such is permitted in the same locations and under the same conditions as other general industrial uses.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

**Def. M**

**Mentally Retarded Facility:** A resident school, resident care facility, family home (mentally retarded), nursery or day care center, all as defined in Article 2 of Subchapter 1 of Title 9 of the California Administrative Code.

**Mezzanine or Mezzanine Floor:** An intermediate floor placed in any story or room. When the total area of any such Mezzanine Floor exceeds 33 1/3 percent of the total floor area in that room, it shall be considered as constituting an additional story. The clear height above or below a Mezzanine Floor construction shall be not less than 7 feet. An enclosed Mezzanine shall be counted as a story.

(Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)

**Mini-Mobilehome Park:** A mobilehome park subject to the regulations of Sections 6530 through 6544, inclusive.

(Added by Ord. No. 5612 (N.S.) adopted 10-10-79)

**Minor Use Permit:** (See Use Permit, Minor)

**Mobilehome:** A structure designed and equipped to contain not more than two dwelling units to be used with or without a permanent foundation, and which is in excess of 8 feet in width or in excess of 40 feet in length. Mobilehome, as used herein, is further defined in Section 18211 of the Health and Safety Code and includes Manufactured Home as defined in Section 18007 of the Health and Safety Code.

(Amended by Ord. No. 5717 (N.S.) adopted 3-19-80)

(Amended by Ord. No. 6215 (N.S.) adopted 1-13-82)

(Amended by Ord. No. 6372 (N.S.) adopted 6-09-82)

**Mobilehome Lot:** An area or tract of land or portion of a mobilehome park or mobilehome subdivision designated or used for the occupancy of one mobilehome.

(Amended by Ord. No. 5717 (N.S.) adopted 3-19-80)

(Amended by Ord. No. 6215 (N.S.) adopted 1-13-82)

**Mobilehome On a Private Lot:** A mobilehome which has been placed on a permanent foundation system pursuant to the Mobilehome on Private Lot Regulations.

(Amended by Ord. No. 5717 (N.S.) adopted 3-19-80)

(Amended by Ord. No. 6215 (N.S.) adopted 1-13-82)

**Mobilehome Park:** An area or tract of land where 2 or more mobilehome lots are rented or leased or held out for rent or lease to accommodate mobilehomes for human habitation; provided that mobilehome park does not include:

- a. premises on which any trailer coaches are parked for inspection and sale;



- b. premises on which there is one trailer coach occupied by the owner thereof pursuant to a valid temporary occupancy permit issued by the Department of Environmental Health; or
- c. premises on which all trailer coaches are used exclusively either to provide farm employee housing or as a farm labor camp.

(Amended by Ord. No. 5612 (N.S.) adopted 10-10-79)

(Amended by Ord No. 8581 (N.S.) adopted 9-20-95)

**Mobilehome Park, Standard:** A mobilehome park subject to the regulations of Section 6510 through 6524, inclusive.

(Added by Ord. No. 5612 (N.S.) adopted 10-10-79)

**Mobilehome Subdivision:** Any area or tract of land where two or more lots are created in accordance with applicable provisions of Division 1, Title 8 of the County Code of Regulatory Ordinances for the exclusive use of mobilehomes and their accessory uses.

(Added by Ord. No. 6215 (N.S.) adopted 1-13-82)

**Mobile Recycling Unit:** A motor vehicle or trailer, licensed by the Department of Motor Vehicles which is used for the collection of recyclable materials. A mobile recycling unit also means the bins, boxes or containers transported by trucks, vans, or trailers, used for the collection of recyclable materials.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

**Model Home:** A dwelling unit temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental for the first time in a particular subdivision or other residential development which may be comprised of one-family, two-family or multiple dwellings, or a combination thereof. "Model Home" shall include examples of factory-built housing which may not necessarily be available in or related to a particular development.

**Moderate-Income Family:** (See Moderate-Income Household)

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)

**Moderate-Income Household:** A household having an annual income greater than 80 percent, but not more than 120 percent of the median household income in the County of San Diego for a given household size as determined by the U.S. Department of Housing and Urban Development.

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)

Def. M

Motion Picture Theater: (See General Motion Picture Theater)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

Multiple-Residential Zone: A residential zone in which 3 or more units are allowed on a legal parcel.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

(Amended by Ord. No. 6940 (N.S.) adopted 4-10-85)

## DEFINITIONS (N)

**Native or Naturalizing Plant Species:** Plant species native to the region or introduced which once established are capable of sustaining growth and reproduction under local climatic conditions, without supplemental watering.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Negative Declaration:** A notice issued by the appropriate San Diego County granting authority stating that a proposed project will not have substantial adverse effects on the environment.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

**Net Lot Area:** (See Lot Area, Net)

(Amended by Ord. No. 6855 (N.S.) adopted on 10-10-84)

**Nonconforming Structure:** A building, structure or facility, or portion thereof, which was lawfully erected or altered or maintained, but which, because of the application of this ordinance to it, no longer conforms to the specific regulations applicable to the zone in which it is located.

**Nonconforming Use:** The use of a building, structure, or site, or portion thereof, which was lawfully established and maintained, but which, because of the application of this ordinance to it, no longer conforms to the specific regulations applicable to the zone in which it is located.

**Nonoperating Vehicles, Storage of:** (See Storage of Nonoperating Vehicles)

**Nudity:** Devoid of an opaque covering which covers the genitals, vulva, pubis, pubis symphysis, pubic hair, buttocks, natal cleft, perineum, anus, anal region, or pubic hair region of any person or any portions of the breast at or below the upper edge of the areola thereof of any female.

(Added by Ord. No. 7106 (N.S.) adopted 3-19-86)

**Nudist Facility:** Any privately operated facility where nudity is permitted in common areas excluding sexually segregated restrooms or showers.

(Added by Ord. No. 7106 (N.S.) adopted 3-19-86)

Def. O

## DEFINITIONS (O)

One-Hundred-Year Flood: (See Flood, One-Hundred-Year)

Open: (See Enclosure)

Open Space: (See Usable Open Space)

Open Space Easement: An easement established pursuant to Section 51050 or Section 51080 of the Government Code or an easement which ensures the permanent retention of land in open space.

Original Jurisdiction: Refers to the Director, Planning Commission or Board of Supervisors, whichever body has the authority to take action for approval or denial, regardless if that action is appealable or final.

(Amended by Ord. No. 6506 (N.S.) adopted 1-5-83)

(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)

## DEFINITIONS (P)

**Parcel:** A contiguous quantity of land in the possession of, or owned by, or recorded as the property of, the same person.

**Parking Area:** An open area, other than a street or alley, which contains motor vehicle parking spaces.

(Amended by Ord. No. 5976 (N.S.) adopted 1-28-81)  
(Amended by Ord. No. 7432 (N.S.) adopted 01-06-88)

**Parking Garage:** A building other than a private or public garage used for the shelter or storage of operating motor vehicles and may, incidental thereto be used for the care, repair or equipping of such vehicles.

**Parking Space:** An unobstructed space or area other than a street or alley which is permanently reserved and maintained for the parking of one motor vehicle.

**Parlor:** (See Massage Parlor)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Peep Show Device:** Any device which displays still or moving images in a peep show booth which depict specified anatomical areas or specified sexual activities upon payment of a fee or other consideration.

(Added by Ord. 8015 (N.S.) adopted 12-4-91)  
(Amended by Ord. 9469 (N.S.) adopted 6-12-02)

**Peep Show Booth:** Any room, booth, partial enclosure or partitioned area of any room in which a peep show device is located, with a seating capacity of five or fewer persons. It does not include an Adult Mini-Motion Picture Theater which has a seating capacity of more than five but less than fifty persons where still or motion images are regularly shown to an audience of more than five but less than fifty persons at any one time.

(Added by Ord. No. 8015 (N.S.) adopted 12-4-91)

**Penthouse:** A projection above the roof which when used only for the shelter of mechanical equipment or shelter of vertical shaft openings in the roof is not regarded as a story.

**Person:** Any individual, firm, copartnership, joint venture, association, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit.

Def. P

**Planned Development:** A large, integrated development located on a single building site, or on 2 or more building sites which may be separated only by a street or other right-of-way. In such development, the land and structures shall be planned and developed as a whole in a single development operation or a series of operations in accordance with a detailed, comprehensive plan encompassing such elements as the location of structures, the circulation pattern, parking facility, open space, and utilities, together with a program for provision, operation and maintenance of all areas, improvements, facilities and services provided for the common use of the persons occupying or utilizing the property.

**Plants, High Water Use:** Trees, shrubs, groundcovers, and other vegetation requiring supplemental irrigation to sustain both growth and reproduction once fully established (usually 2-5 years after planting).

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Plants, Low Water Use:** Trees, shrubs, groundcovers, and other vegetation capable of sustained growth and reproduction with minimum amounts of supplemental irrigation once fully established (usually 2-5 years after planting).

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Ponds:** (See Aquaculture)

(Added by Ord. No. 9935 (N.S.) adopted 4-23-08)

**Porte Cochere:** A covering over a driveway, (usually circular) or drive that allows a vehicle to continue onto another portion of the site, that provides temporary shelter to persons exiting a vehicle, but not serving as the only covered or enclosed vehicle shelter on-site.

(Added by Ord. No. 9935 (N.S.) adopted 4-23-08)

**Poultry:** Chickens, turkeys, ducks and geese.

(Added by Ord. No. 6268 (N.S.) adopted 4-14-82)

**Premises:** An area of land with its appurtenances and buildings which because of its unity of use may be regarded as the smallest conveyable unit.

**Principal Use(s):** The primary use(s) for which land or a building is or may be intended, occupied, maintained, arranged or designed.

**Private Garage:** An accessory building or an accessory portion of the main building, designed and/or used for the shelter or storage of vehicles owned or operated by the occupants of the main building.

**Psychiatric Facility:** An institution in which care or treatment is given to persons suffering from mental illness, disease, disorder or ailment. Such facilities include, but are not limited to, psychiatric hospitals, day treatment hospitals, long term care facilities, resident treatment centers, family homes (mentally ill), alcoholism, hospital, and facility for admission of drug addicts all as defined in Article 2 of Subchapter 1 of the Title 9 of the California Administrative Code.

**Public Active Park/Playground/Recreational Area:** An outdoor area, along with its incidental buildings and structures, at least part of which is designed, developed, and intended for organized sport or athletic activities and/or other activities or events to which groups of people greater than the family unit might be attracted as participants or spectators.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)

**Public Garage:** A building other than a private or parking garage in which specific spaces or stalls are rented to individual members of the public for the shelter or storage of private automobiles and other forms of private transportation or recreational vehicles, and which may include as a use incidental thereto, the storage of personal effects and personal household articles.

**Public Park/Playground/Recreational Area:** An outdoor area, along with its incidental buildings and structures, owned and/or operated by a public agency or a non-profit organization, which is designed, developed and intended to provide one or more recreational opportunities to the general public. Public Park/Playground/Recreational Area includes the following: Public Passive Park/Recreational Area, and Public Active Park/Playground/Recreational Area.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)

**Public Passive Park/Recreational Area:** An outdoor area, along with minimal incidental buildings and structures, designed, developed and intended for low intensity passive recreational use by individuals, families, or small groups. Public Passive Park/Recreational Areas may be of any size and may include wilderness, ecological or natural preserves.

(Added by Ord. No. 8340 (N.S.) adopted 12-15-93)

**Public Stable:** A stable used for the riding and performing of horses by other than the occupants of the premises or their nonpaying guests, but excluding boarding or breeding stables.

Def. R

## DEFINITIONS (R)

Rap Parlor: (See Massage Parlor)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Recreational Vehicles:** A motorhome, travel trailer, truck camper or camping trailer, with or without motive power, designed for human habitation for recreational or emergency occupancy, with a living area less than 200 square feet, excluding built-in equipment such as wardrobes, closets, cabinets, kitchen units or fixtures, bath and toilet rooms.

**Recycling Collection Facility, Drop-Off:** A facility consisting of bins, boxes, or other suitable receptacles for the acceptance (by donation) of recyclable materials from the public. In Residential Zones and Special Purpose Zones, the total capacity of collection receptacles shall not exceed 192 cubic feet.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

**Recycling Facility:** A facility or portion of any premises used for the collection and/or processing of recyclable materials as that term is defined in this ordinance. Recycling facilities may include reverse vending machines, bulk reverse vending machines, mobile recycling units, kiosk type units and free-standing containers operated or placed in accordance with the standards established by this ordinance. Processing in a recycling facility may include baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding and cleaning. A recycling facility does not include storage containers or non-mechanical processing activity located on the premises of a residential use, or storage and processing activity located on the premises of a commercial or manufacturing use which is solely for the recycling of material generated by that residential property, business or manufacturer.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

**Recyclable Material:** Reusable material including but not limited to metals, glass, plastic and paper, which are intended for reuse, remanufacture, or reconstitution for sale or reuse. Recyclable material does not include refuse or hazardous materials. Recyclable material may include clean (uncontaminated) used motor oil and oil filters collected and transported in accordance with Section 25250.11 and 25143.2(b)(4) of the California Health and Safety Code.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

**Refuse Disposal Site:** An area devoted to the disposal of refuse, including incineration, reduction, or dumping of ashes, garbage, combustible or noncombustible garbage or refuse, offal or dead animals.



**Reserved Dwelling Unit:**

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)  
(Repealed by Ord. No. 8581 (N.S.) adopted 9-20-95)

**Residential Zone:** A zone including a use regulation set forth in Sections 2100 through 2299, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Rest Home:** Any place or institution which makes provision for bed care or for chronic or convalescent care for one or more persons exclusive of relatives, who by reason of illness or physical infirmity are unable to care for themselves; but in which no persons suffering from contagious or communicable disease are kept and in which no surgical or other primary treatments such as are customarily provided in sanitariums or hospitals are performed. Rest homes shall include all places defined in Title 17 of the California Administrative Code and licensed as nursing or convalescent homes.

**Reverse Vending Machine:** An automated mechanical device which occupies less than 50 square feet; accepts at least one or more types of empty beverage containers, including but not limited to aluminum cans, glass and plastic bottles; and issues a cash refund or redeemable credit slip with a value not less than the container's redemption value, as determined by the State. A reverse vending machine may sort and process containers mechanically provided that the entire process is enclosed within the machine.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

**Right-of-Way:** An area or strip of land, either public or private, on which an irrevocable right of passage has been recorded for the use of vehicles or pedestrians or both.

**Riparian Habitat:** An environment associated with the banks and other land adjacent to freshwater bodies, rivers, streams, creeks, estuaries, and surface-emergent aquifers (such as springs, seeps, and oases). Riparian habitat is characterized by plant and animal communities which require high soil moisture conditions maintained by transported freshwater in excess of that otherwise available through local precipitation.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

Def. S

## DEFINITIONS (S)

**Schedule:** A list or table of standards pertinent to certain aspects regulated by the Animal Regulations or the Development Regulations. A particular standard or combination of standards prescribed by a schedule is referenced by a designator in the Animal Regulations or the Development Regulations.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

**School:** An institution of learning for minors, whether public or private, which offers instruction in those courses of study required by the California Education Code or which is maintained pursuant to standards set by the State Board of Education. This definition includes a kindergarten, elementary school, junior high school, senior high school, or any special institution of learning under the jurisdiction of the State Department of Education, but does not include a vocational or professional institution or an institution of higher education, including a community or junior college, college or university.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)  
(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)

**Secondhand Merchandise/Goods:** Used common household items including clothing, personal effects, households furnishings, appliances, and office equipment and furnishings.

**Secondary Use:** A purpose for which land or a building is or may be intended, occupied, maintained, arranged, or designed, which is less visible, prominent, or important than the principal use(s) on the same lot or parcel. A secondary use may, but need not be an accessory use to the principal use(s).

**Semi-Detached:** (See Building Type, Residential)

**Semi-Open:** (See Enclosure)

**Sensitive Habitat Lands:** Land which supports unique vegetation communities, or the habitats of rare or endangered species or subspecies of animals or plants as defined by Section 15380 of the State California Environmental Quality Act (CEQA) Guidelines (14 Cal. Admin. Code Section 15000 et seq.) (Unique Vegetation Community refers to associations of plant species which are rare or substantially depleted due to development. These may contain rare or endangered species, but other species may be included because they are unusual or limited due to a number of factors, for example: (a) they are only found in the San Diego region; (b) they are a local representative of a species or association of species not generally found in San Diego County; (c) they are outstanding examples of the community type as identified by the California Department of Fish and Game listing of community associations.) Sensitive Habitat Lands includes the area which is necessary to support a viable population of any of the above species in perpetuity, of which is critical to the proper functioning of a balanced natural ecosystem or which serves as a functioning wildlife corridor.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Setback:** A required, specified distance between a building or structure and a lot line or lines, measured perpendicularly in a horizontal plane extending across the complete length of said lot line or lines.

**Setback, Front Yard:** The setback applicable in the front yard of a building or structure.

**Setback, Rear Yard:** The setback applicable in the rear yard of a building or structure.

**Setback, Side Yard:** The setback applicable in the side yard of a building or structure.

**Sexual Encounter Establishment:** An establishment, other than a hotel, motel or similar establishment offering public accommodations, which, for any form of consideration, provides a place where two or more persons may congregate, associate or consort in connection with specified sexual activities or the exposure of specified anatomical areas. This definition does not include an establishment where a medical practitioner, psychologist, psychiatrist or similar professional person licensed by the State of California engages in sexual therapy. For the purposes of these regulations, sexual encounter establishment shall include massage or rap parlor and other similar establishments.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Sexual Activities:** (See Specified Sexual Activities)

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Shaft:** A vertical opening through a building for elevators, dumbwaiters, mechanical equipment or similar purposes.

**Shrub:** A woody perennial plant generally with multiple basal stems.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Sidewalk Cafe:** An area adjacent to and directly in front of a street level eating or drinking establishment located within the sidewalk area of the public right-of-way used exclusively for dining, drinking and pedestrian circulation. The encroachment area of a sidewalk cafe may be separated from the remainder of the sidewalk by railings, fencing or landscaping planter boxes or a combination thereof.

(Added by Ord. No. 6924 (N.S.) adopted 2-20-85)

**Def. S**

**Sign:** Any structure, device, material or substance placed, attached or applied in any manner on or above a building, structure or site so as to be visible at or beyond the property boundaries and which displays by shape, color, light or symbol any attention arrestor device, model, banner, numeral, letter, word, trademark, logo, emblem or other representation used as or in the nature of an advertisement or solicitation of a business, profession, service, person, group, organization, firm, enterprise, industry, product, commodity, merchandise place or event.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

**Sign, Abandoned:** A sign which remains in place after expiration of the permit authorizing it or after the date, event or purpose for which it was installed has passed or terminated.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

**Sign Area:** The entire area within a continuous perimeter enclosing the extreme limits of sign display including any frame or border. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing each of said letter or devices. The calculation of a double-faced signs shall be the area of one face only. Double-faced signs shall be so constructed that the perimeter of both faces coincide and are parallel and not more than 24 inches apart.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

**Sign, Arcade/Marque:** An on-premise sign painted on, attached to or suspended from an arcade, marque or similar architectural feature.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

**Sign, Freestanding:** Any sign supported wholly by uprights, braces, or poles in or upon the ground including poster panels, painted bulletins, signs on fences, and signs on structures other than buildings and/or canopies.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)  
(Amended by Ord. No. 8015 (N.S.) adopted 12-4-91)

**Sign, Freeway-Oriented:** An on-premise freestanding or roof sign which is located within 350 feet of the nearest point of the through lane of the adjacent freeway and not more than 1,500 feet from the nearest point where a freeway exit providing access to the premises on which the sign is located contacts the edge of said through lane. Such signs shall be used to identify premises where food, lodging, goods or services essential to the traveling public are available.

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

**Sign, Height:** The vertical distance from the average ground elevation at the sign supports or base of a freestanding sign and the highest point of the sign/sign structure. For signs affixed to other structures the grade from which the structure height is measured.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

**Sign, Illegal:** A sign not legally installed pursuant to regulations in effect at the time of installation.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

Def. S

**Sign, Monument:** A freestanding on-premise sign mounted on its own standard which does not exceed 42 inches in height or 32 square feet in area per sign face and which contains only the name of the business.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

**Sign Structure:** A structure or device designed or used for the support of a sign but not including fences, walls, roofs or structures having another permitted primary function. A sign structure is considered to be an integral part of a sign and is not a permitted use type independent of a permitted sign.

(Added by Ord. No. 6691 (N.S.) adopted 11-30-83)

**Sign, Off-Premise:** Any sign as herein defined other than an on-premise sign.

**Sign, On-Premise:** A sign which directs attention to a business, commodity, service, industry or other activity which is sold, offered, or conducted, other than incidentally, on the premises.

(Amended by Ord. No. 8028 (N.S.) adopted 1-15-92)

**Sign, Portable:** A parked or stationary outdoor advertising sign, or a sign that is not a structure, or a sign located upon a vehicle or trailer for the basic purpose of providing advertisement of products or directing people to a business or activity located in the same or nearby property, placed or parked so as to be visible from the public right-of-way, but not including signs on business or commercial vehicles, the primary purpose of which is the transporting of people and goods on the public right-of-way.

**Sign, Projecting:** Any sign other than a wall sign which is attached to and projects from the wall or face of a building or structure including an arcade/marquee sign.

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

**Sign, Roof:** Any sign erected, painted upon, against, or directly above a roof or on top of or above the parapet of a building, and which is supported wholly or in part by said building. Any sign mounted upon its own standard which is supported wholly by structural anchorage to the ground, or mounted upon any accessory structure which does not constitute a building, shall be considered a roof sign where such sign projects over the roof of a building. Any roof, the slope of which varies not more than 45 degrees from a vertical plane, shall be considered wall space for the purpose of placement of wall signs.

**Sign, Tenant Identification:** Any sign integrated into the design of each individual tenant space of a multiple entrance building so as to identify the tenant of such space.

(Added by Ord. No. 6092 (N.S.) adopted 7-1-81)

(Amended by Ord. No. 6691 (N.S.) adopted 11-30-83)

**Sign, Wall:** Any sign affixed to or painted directly upon a building facing in such a manner that the face of the sign is substantially parallel to the plane of the building facing and does not project more than 16 inches, therefrom; provided, however, that any sign erected, painted or placed upon, against, or directly above a roof, the slope of which varies not more than 45 degrees from a vertical plane, shall be considered a wall sign. Permanent window signs shall be considered wall signs.

**Sign, Window:** Any sign temporarily affixed to or displayed on the interior of an establishment so as to be readable from the exterior thereof shall be considered a wall sign.

**Significant Habitat Lands:** Sensitive habitat lands with a combination of biological features that result in the likelihood of significant, unmitigable environmental impacts if developed.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Significant Investment in Buildings or Structures:** When used with reference to interim or temporary uses regulated by this Ordinance, "significant investment in buildings or structures" shall mean the placement or construction of any building, structure, or other improvement in such manner or at a cost as to be inconsistent with the temporary status of the use and which would preclude its ready removal from the site at a reasonable cost upon termination of the interim or temporary use.

(Added by Ord. No. 8506 (N.S.) adopted 3-01-95)

**Significant Prehistoric or Historic Sites:** Location of past intense human occupation where buried deposits can provide information regarding important scientific research questions about prehistoric or historic activities that have scientific, religious, or other ethnic value of local, regional, state, or federal importance. Such locations shall include, but not be limited to: any prehistoric or historic district, site, interrelated collection of features or artifacts, building, structures, or object included in or eligible for inclusion in the National Register of Historic Places, the State Landmark Register; or included in or eligible for inclusion, but not rejected, for the San Diego County Historical Site Board List; any area of past human occupation located on public or private land where important prehistoric or historic activities and/or events occurred; and any location of past or current sacred religious or ceremonial observances protected under Public Law 95-341, the American Indian Religious Freedom Act or Public Resources Code Section 5097.9, such as burial(s), pictographs, petroglyphs, solstice observatory sites, sacred shrines, religious ground figures, and natural rocks or places which are of ritual, ceremonial, or sacred value to any prehistoric or historic ethnic group.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

**Single Detached:** (See Building Type, Residential)

**Def. S**

**Site Plan:** A document or group of documents containing sketches, text, drawings, maps, photographs, and other material intended to present and explain certain elements of a proposed development, including physical design, siting of buildings and structures, interior vehicular and pedestrian access, the provision of improvements, and the interrelationship of these elements.

**Special Area:** That element of the zone which indicates, by means of a letter designator, the Special Area Regulations which apply to that zone.

**Special Parking District:** An area, described in Section 5761, where reduced off-street parking may be authorized.

(Added by Ord. No. 8407 (N.S.) adopted 5-18-94)

**Special Purpose Zone:** A zone including a use regulations set forth in Sections 2800 through 2979, inclusive.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Specified Anatomical Areas:**

1. Less than completely and opaquely covered human genitals, pubic region, buttocks, anus, or female breasts below a point immediately above the top of the areolae; or
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Specified Sexual Activities:**

1. The fondling or other touching of human genitals, pubic region, buttocks, anus, or female breasts; or
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy; or
3. Masturbation, actual or simulated; or
4. Excretory functions as part of or in connection with any of the activities set forth in 1 through 3 above.

(Added by Ord. No. 5840 (N.S.) adopted 7-30-80)

**Stable, Boarding or Breeding:** (See Boarding or Breeding Stable)

**Stable, Private:** (See Horsekeeping)

**Stable, Public:** (See Public Stable)



Stacked: (See Building Type, Residential)

Stand: A structure for the display and sale of farm products with no space for customers within the structure itself.

Standard Mobilehome Park: (See Mobilehome Park, Standard)

(Added by Ord. No. 5612 (N.S.) adopted 10-10-79)

Steep Slope Lands: All lands having a slope with natural gradient of 25 percent or greater and a minimum rise of 50 feet, unless said lands have been substantially disturbed by previous legal grading.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

Storage of Nonoperating Vehicles: The storage of nonoperating motor vehicles shall not include automobile wrecking. The presence on any lot or parcel of land of 5 or more motor vehicles which for a period exceeding 30 days have not been capable of operating under their own power, and from which no parts have been or are to be removed for reuse or sale shall constitute prima facie evidence of the storage of nonoperating motor vehicles.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

Story: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. The maximum height of a story between floors shall be 14 feet. If the finished floor level directly above a basement, cellar, or unused under-floor space is more than 6 feet above the adjacent elevation for more than 50 percent of the total perimeter or is more than 12 feet above the adjacent elevation at any point, such basement, cellar or unused under-floor space shall be considered as a story. The total perimeter shall be measured along the outer limits of the area of the floor level in question. The adjacent elevation shall be grade as defined herein but shall not include fill material that has been mounded or placed for landscaping, thermal insulation, sound attenuation or for any other purpose if such mounding or placement would allow additional floor levels or building heights greater than otherwise permitted.

(Amended by Ord. No. 6983 (N.S.) adopted 7-03-85)

(Amended by Ord. No. 7048 (N.S.) adopted 10-09-85)

(Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)

(Amended by Ord. No. 7935 (N.S.) adopted 6-19-91)

Story, First: The lowest story in a building which qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet below grade, as defined herein, for more than 50 percent of the total perimeter, or more than 8 feet below grade, as defined herein, at any point.

(Added by Ord. No. 6134 (N.S.) adopted 7-22-81)

**Def. S**

**Street:** A County road, State highway, public road, street or alley, or private thoroughfare or easement (or proposed private thoroughfare or easement shown on a recorded parcel map) not less than 10 feet in width connecting with a County road, State highway, public road, street or alley which affords primary access to an abutting lot.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

**Street, Centerline of:** The centerline of a street as established in accordance with the provisions of Chapter 5 of Division 1 of Title 5 of the San Diego County Code.

**Street Line:** The boundary line between a street and the abutting property.

**Street, Side:** A street which is adjacent to a corner lot and which extends in the general direction of the line determining the depth of the lot.

**Structure:** That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

**Structural Alterations:** Any change in the supporting members of a building such as foundations, bearing walls, columns, beams, floor or roof joists, girders or rafters, or changes in roof or exterior lines.

**Substantial Improvement:** Any repair, reconstruction, or improvement of structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (a) before improvement is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or (2) any alteration of a structure listed on the National Register or Historic Places or a State inventory of Historic Places.

**Swap Lot:** A building, structure, enclosure lot or other area into which persons are admitted to display, exchange, barter, sell or bargain for new or used merchandise. carried on in a swap lot.

**Swimming Pool:** Any confined body of water exceeding 2 feet in depth and located either above or below the existing finished grade of the site, designed, used or intended to be used for swimming, bathing or therapeutic purposes.

## DEFINITIONS (T)

**Take-off and Landing Area:** That area of any helicopter facility where the helicopter actually lands and takes off, and includes the touch down area.

(Added by Ord. No. 7058 (N.S.) adopted 10-30-85)

**Trailer Coach:** Any vehicle, with or without motive power, designed or used for human occupancy for residential, recreational, industrial, professional, or commercial purposes and shall include camp car, mobilehome, recreational vehicle and travel trailer.

**Transient Habitation Unit:** Living quarters intended exclusively for occupation by transient persons. A transient habitation unit may include a hotel or motel room or suite of rooms, a cabin or a campground space.

**Transitional Landscape:** Areas used to buffer a development or disturbed area from a natural or undisturbed area (such as fire breaks, fuel modification areas, etc.).

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Tree:** A perennial woody plant with one or more well defined stems or trunks which, at maturity, is largely kept clear of leaves and branches at least 5 feet above grade.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Triplex:** (See Building Type; Residential Triplex)

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**Turf:** Upper layer of soil bound by grass and plant roots into a thick mat.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Turf Area, Active:** Area of turf used primarily for recreational purposes such as ball fields, active play park areas or passive play areas.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Turf Area, Large:** An area containing at least 3 acres of turf.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

**Turf Area, Passive:** Area of turf not primarily used for active recreational uses.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

Def. U

## DEFINITIONS (U)

Unlimited: (See Building Type, Mixed Residential-Nonresidential)

Usable Open Space: One or more open areas adjacent to residential uses, the purpose of which is to provide an outdoor area designed for outdoor living and recreation, and which is located at, below, or above grade.

Ultralight Vehicle: A powered or unpowered vehicle that is defined and described in Federal Aviation Regulations (FAR), Part 103, promulgated by the United States Government, Department of Transportation (DOT), Federal Aviation Administration (FAA), as that regulation is presently written or as it may be amended.

(Added per Ord. No. 7197 (N.S.) adopted 9-10-86)

Usable Open Space, Group: Usable open space intended for common use by occupants of a development, either privately owned and maintained or dedicated to a public agency, normally including swimming pools, recreation courts, patios, open landscaped areas, and greenbelts with pedestrian walkways and equestrian and bicycle trails. Group usable open space does not include off-street parking and loading areas or driveways.

Usable Open Space, Private: Usable open space intended for use of occupants of one dwelling unit, normally including yards, decks, and balconies.

Use: The purpose for which land or a building is occupied, arranged, designed or intended, or for which land or a building is or may be occupied or maintained.

Use, Accessory: (See Accessory Use)

Use Classification: A system of classifying uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics. All use types are grouped into the following categories: Residential, Civic, Commercial, Industrial, Agricultural, and Extractive.

Use Permit: A permit which may be granted by the appropriate San Diego County authority to provide for the accommodation of land uses with special site or design requirements, operation characteristics, or potential adverse effects on surroundings, which are not permitted as of right but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the permit granting authority.

**Use Permit, Concurrent:** Use permits filed concurrently with an application requesting amendment of the Zoning Ordinance applicable to the land under the original jurisdiction of the Planning Commission.

**Use Permit, Major:** Use permit under the original jurisdiction of the Planning Commission.

(Amended by Ord. No. 6505 (N.S.) adopted 1-5-83)  
(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)  
(Amended by Ord. No. 9676 (N.S.) adopted 9-22-04)

**Use Permit, Minor:** Use permit normally under the original jurisdiction of the Director.

(Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)

**Use, Principal:** (See Principal Use)

**Use Type:** (See Use Classification)

**Use Regulations:** That element of the zone which indicates, by means of a designator combining a letter and a number, the use types which are permitted in that zone.

#### DEFINITIONS (V)

**Variance:** A departure from the specific requirements of the Zoning Ordinance which may be granted by the appropriate San Diego County authority when the literal enforcement of these requirements would result in practical difficulties, unnecessary hardship, or results inconsistent with the general purposes of this ordinance.

**Very Low-Income Family:** (See Very Low-Income Household)

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)

**Very Low-Income Household:** A household having an annual income not more than 50 percent of the median household income in the County of San Diego for a given household size as determined by the U.S. Department of Housing and Urban Development.

(Added by Ord. No. 5781 (N.S.) adopted 6-4-80)

Def. W

## DEFINITIONS (W)

Wall, Exterior: Any wall or element of a wall or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of 60 degrees or greater with the horizontal plane.

Wall, Solid: (See Fence, Solid)

(Added by Ord. No. 5786 (N.S.) adopted 6-4-80)

Wall, View-Obscuring: (See Fence, View-Obscuring)

(Added by Ord. NO. 5786 (N.S.) adopted 6-4-80)

Water Feature, Major: Lake, stream, fountain or pond greater than or equal to 1,000 sq. ft. in surface area.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

Water Feature, Minor: Lake, stream, fountain or pond less than 1,000 sq. ft. in surface area.

(Added by Ord. No. 7735 (N.S.) adopted 3-13-90; operative 10-01-90)

Wetland: All lands which are transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or where the land is covered by water. All lands having one or more of the following attributes are "wetlands":

- a. At least periodically, the land supports predominantly hydrophytes;
- b. The substrate is predominantly undrained hydric soil; or
- c. The substrate is nonsoil and is saturated with water or covered by water at some time during the growing season of each year.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

Wetland Buffer: Lands which provide a buffer area of an appropriate size to protect the environmental and functional habitat values of the wetland, or which are integrally important in supporting the full range of the wetland and adjacent upland biological community.

(Added by Ord. No. 7630 (N.S.) adopted 05-23-89)

Windmill: A device which converts the kinetic energy of the wind into a useable form of mechanical energy.

(Added by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)

**Wind Turbine:** A device which converts the kinetic energy of the wind into a useable form of electrical energy.

(Added by Ord. No. 6857 (N.S.) adopted 10-10-84. Opr. 1-1-85)

**Wind Turbine System, Small:** An installation consisting of no more than one wind turbine with a maximum blade swept area of 220 square feet. This area shall be measured in the vertical plane perpendicular to the wind direction. (A 220 square foot blade swept area corresponds approximately with a blade diameter of 16.5 feet for a conventional horizontal axis wind turbine.)

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)

**Wind Turbine System, Medium:** An installation consisting of one or two wind turbines in which the sum of the blade swept area of the turbines is greater than 220 square feet but no more than 850 square feet. This area shall be measured in the vertical plane perpendicular to the wind direction. (A 850 square foot blade swept area corresponds approximately with a blade diameter of 33 feet for one conventional horizontal axis wind turbine).

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)

**Wind Turbine System, Large:** An installation consisting of one or more wind turbines in which the sum of the blade swept area of all turbines is greater than 850 square feet, or three or more wind turbines of any size. This area shall be measured in the vertical plane perpendicular to wind direction. No individual wind turbine shall have a blade swept area greater than 6400 square feet. The "Wind Turbine System, Large" shall be classified as a Major Impact Services and Utilities use type.

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)

**Wind Turbine, Non-operational:** Any wind turbine(s) whose power output (in kilowatt hours) for any consecutive 12 months is less than 10% of the expected power output. The expected power output for commercial wind turbines shall be the amount claimed in the company's prospectus.

(Added by Ord. No. 7117 (N.S.) adopted 4-23-86)

**Wood Waste:** Lumber and wood products but excluding painted wood, wood treated with chemicals, and pressure treated wood.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

**Wood and Green Waste Composting Facility:** A facility where wood and/or green waste decompose in a controlled environment into compost, soil amendment or other products. A composting facility may employ mechanical equipment to turn the piles and provide aeration. Composting may be conducted within an enclosed building or in the open such as in windrow composting. Backyard composting by homeowners and composting of material generated by an agricultural operation

Def. W

for the purpose of mulching or soil amendment on property in the same ownership as that where composting takes place shall not be considered a Wood and Green Waste Composting Facility. The composting of municipal sewage sludge shall also not be considered a Wood and Green Waste Composting Facility even if such composting operation utilizes wood or green waste.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

DEFINITIONS (Y)

Yard: An open, unoccupied space, other than a court, unobstructed from the ground to the sky, except as otherwise provided by this ordinance, on the lot on which a building is situated.

Yard, Front: The yard between a front lot line or lines and the line defined by the required front yard setback.

Yard, Rear: The yard between a rear lot line or lines and the line defined by a required rear yard setback.

Yard, Side: The yard between a side lot line or lines and the line defined by a required side yard setback, extending from the front to the rear yard.

Yard, Side, Exterior: A side yard abutting a street.

Yard, Side, Interior: A side yard other than an exterior side yard.

DEFINITIONS (Z)

Zone: A mapped area to which a uniform set of regulations applies, or a uniform set of regulations described by a use designator, an animal designator, a development designator, and an optional special area designator.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)



**USE CLASSIFICATIONS****GENERAL CLASSIFICATION RULES****1200 GENERAL INTENT OF THE USE CLASSIFICATIONS.**

The provisions of Section 1200 through Section 1899, inclusive, shall be known as the Use Classifications. The purpose of these provisions is to classify uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics, thereby providing a basis for regulation of uses in accordance with criteria which are directly relevant to the public interest. These provisions shall apply throughout the Zoning Ordinance.

**1205 LISTING OF USE CLASSIFICATIONS.**

All uses are hereby classified into the following use types, which are described in Section 1250 through Section 1899, inclusive. See Section 1215 for classification of combinations of uses resembling different types. The names of these use types start with capital letters throughout the Zoning Ordinance.

**a. Residential Use Types.**

Family Residential  
Group Residential  
Farm Labor Camps  
Mobilehome Residential

**b. Civic Use Types.**

Administrative Services  
Ambulance Services  
Child Care Center  
Clinic Services  
Community Recreation  
Cultural Exhibits and Library Services  
Essential Services  
Fire Protection Services  
Group Care  
Law Enforcement Services  
Lodge, Fraternal and Civic Assembly  
Major Impact Services and Utilities  
Minor Impact Utilities  
Parking Services  
Postal Services  
Religious Assembly  
Small Schools  
Wind Turbine System, Medium

## c. Commercial Use Types.

Administrative and Professional Services  
 Adult Entertainment Establishments  
 Agricultural and Horticultural Sales: Agricultural  
 Agricultural and Horticultural Sales: Horticultural  
 Agricultural Services  
 Animal Sales and Services: Auctioning  
 Animal Sales and Services: Grooming  
 Animal Sales and Services: Horse Stables  
 Animal Sales and Services: Kennels  
 Animal Sales and Services: Stockyards  
 Animal Sales and Services: Veterinary (Large Animals)  
 Animal Sales and Services: Veterinary (Small Animals)  
 Automotive and Equipment: Cleaning  
 Automotive and Equipment: Fleet Storage  
 Automotive and Equipment: Parking  
 Automotive and Equipment: Repairs, Heavy Equipment  
 Automotive and Equipment: Repairs, Light Equipment  
 Automotive and Equipment: Sales/Rentals, Farm Equipment  
 Automotive and Equipment: Sales/Rentals, Heavy Equipment  
 Automotive and Equipment: Sales/Rentals, Light Equipment  
 Automotive and Equipment: Storage, Nonoperating Vehicles  
 Automotive and Equipment: Storage, Recreational Vehicles and Boats  
 Building Maintenance Services  
 Business Equipment Sales and Services  
 Business Support Services  
 Communications Services  
 Construction Sales and Services  
 Convenience Sales and Personal Services  
 Cottage Industries  
 Drug Paraphernalia Establishment  
 Eating and Drinking Establishments  
 Explosive Storage  
 Financial, Insurance and Real Estate Services  
 Food and Beverage Retail Sales  
 Funeral and Interment Services: Cremating  
 Funeral and Interment Services: Interring  
 Funeral and Interment Services: Undertaking  
 Gasoline Sales  
 Laundry Services  
 Medical Services  
 Participant Sports and Recreation: Indoor  
 Participant Sports and Recreation: Outdoor  
 Personal Services, General  
 Recycling Collection Facility: Small  
 Recycling Collection Facility: Large  
 Recycling Processing Facility: Light  
 Recycling Processing Facility: Heavy  
 Recycling Processing Facility: Wood and Green Materials

Repair Services, Consumer  
 Research Services  
 Retail Sales: General  
 Retail Sales: Specialty  
 Scrap Operations  
 Spectator Sports and Entertainment: Limited  
 Spectator Sports and Entertainment: General  
 Swap Meets  
 Transient Habitation: Campground  
 Transient Habitation: Lodging  
 Transient Habitation: Resort  
 Wholesaling, Storage and Distribution: Mini-Warehouses  
 Wholesaling, Storage and Distribution: Light  
 Wholesaling, Storage and Distribution: Heavy

d. Industrial Use Types.

Custom Manufacturing  
 General Industrial  
 Heavy Industrial

e. Agricultural Use Types.

Horticulture: Cultivation  
 Horticulture: Storage  
 Tree Crops  
 Row and Field Crops  
 Animal Raising  
 Animal Waste Processing  
 Packing and Processing: Limited  
 Packing and Processing: General  
 Packing and Processing: Support  
 Packing and Processing: Winery  
 Packing and Processing: Boutique Winery  
 Packing and Processing: Wholesale Limited Winery  
 Agricultural Equipment Storage

f. Extractive Use Types.

Mining and Processing  
 Site Preparation

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 5652 (N.S.) adopted 11-21-79)  
 (Amended by Ord. No. 5840 (N.S.) adopted 7-30-80)  
 (Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)  
 (Amended by Ord. No. 6187 (N.S.) adopted 11-18-81)  
 (Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)  
 (Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)  
 (Amended by Ord. No. 7306 (N.S.) adopted 5-20-87)  
 (Amended by Ord. No. 7649 (N.S.) adopted 7-17-89)  
 (Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)

1205

21.

(Amended by Ord. No. 8175 (N.S.) adopted 11-18-92)  
(Amended by Ord. No. 9940 (N.S.) adopted 6-18-08)



**1215 CLASSIFICATION OF COMBINATIONS OF PRINCIPAL USES.**

The following rules shall apply where a lot contains uses which resemble two or more different use types and which are not classified either as accessory uses (Section 6150) or as permitted secondary uses.

- a. **Separate Classification of Several Establishments.** The principal uses conducted on a lot by two or more individual establishments, managements, or institutions shall be classified separately into use types.
- b. **Classification of Different Uses Conducted by Individual Establishment.** If principal uses conducted on a lot by an individual establishment, management, or institution resemble two or more different use types, all such principal uses shall be classified in the use types whose description most closely portrays the nature of such uses. However, when the principal uses have any of the characteristics of the following list of use types, all such principal uses shall be classified in one or more of the use types on the list:

Animal Sales and Services: Auctioning  
 Animal Sales and Services: Stockyards  
 Animal Waste Processing  
 Explosive Storage  
 General Industrial  
 Heavy Industrial  
 Major Impact Services and Utilities  
 Mining and Processing  
 Scrap Operations  
 Wholesaling, Storage and Distribution: Heavy

This provision for classifying uses on the above list shall not apply to areas subject to the Fallbrook Village Regulations.

(Amended by Ord. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. 5786 (N.S.) adopted 6-4-80)  
 (Amended by Ord. 9620 (N.S.) adopted 12-10-03)

**1220 CLASSIFYING USES.**

Uses will be classified into use types based upon the description of the use types as contained in Section 1250 through Section 1899, inclusive, and upon common functional, product, or compatibility characteristics with other uses already classified within the use type, subject to the applicable provisions of Section 1215 with respect to combinations of uses. A list of common uses and the use types into which they are classified shall be maintained by the Director. The Director shall have the authority to classify common uses according to use types. The classification of a use is subject to the right of appeal pursuant to the Administrative Appeal Procedure commencing at Section 7200.

## RESIDENTIAL USE TYPES

## 1250 GENERAL DESCRIPTION OF RESIDENTIAL USE TYPES.

Residential use types include the occupancy of living accommodations on a wholly or primarily nontransient basis; but exclude institutional living arrangements involving those providing 24-hour skilled nursing or medical care and those providing forced residence, such as asylums and prisons. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

## 1260 FAMILY RESIDENTIAL.

The Family Residential use type refers to the residential occupancy of living units by families on a weekly or longer basis. Typical uses include occupancy of dwelling or apartment.

## 1265 GROUP RESIDENTIAL.

The Group Residential use type refers to the residential occupancy of living units by persons who do not live together as a single housekeeping unit but have a common kitchen facility. Typical uses include occupancy of sorority houses, retirement homes or boarding houses. If in addition to the common kitchen facility, any living unit includes a separate kitchen, that living unit shall be counted as a dwelling unit in calculating density pursuant to Section 4115.

(Amended by Ord. No. 7220 (N.S.) adopted 10-22-86)

## 1275 FARM LABOR CAMP.

The Farm Labor Camp use type refers to the occupancy by 5 or more farm employees and their families of any living units, without regard to duration, which occurs exclusively in association with the performance of agricultural labor.

(Amended by Ord. No. 5935 (N.S.) adopted 11-19-80)

## 1280 MOBILEHOME RESIDENTIAL.

The Mobilehome Residential use type refers to the residential occupancy of mobilehomes by families on a weekly or longer basis. Typical uses include mobilehome parks or mobilehome condominiums.

1300

## CIVIC USE TYPES

### 1300 GENERAL DESCRIPTION OF CIVIC USE TYPES.

Civic use types include the performance of utility, educational, recreational, cultural, medical, protective, government, and other uses which are strongly vested with public or social importance. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

### 1310 ADMINISTRATIVE SERVICES.

The Administrative Services use type refers to consulting, record keeping, clerical or public contact services that deal directly with the citizen, together with incidental storage and maintenance of necessary vehicles.

### 1315 AMBULANCE SERVICES.

The Ambulance Services use type refers to the transportation of ill or injured persons to and from treatment facilities together with incidental storage and maintenance of necessary vehicles.

### 1320 CLINIC SERVICES.

The Clinic Services use type refers to providing non-profit medical services to persons afflicted with bodily or mental disease or injury without provision for on-site residence or confinement.

### 1325 COMMUNITY RECREATION.

The Community Recreation use type refers to recreational, social or multi-purpose uses within buildings with no fixed seats and occupancy limited to 500 persons.

### 1330 CULTURAL EXHIBITS AND LIBRARY SERVICES.

The Cultural Exhibits and Library Services use type refers to non-profit, museum-like preservation, exhibition of objects of permanent interest in one or more of the arts and sciences, gallery exhibition of works of art or library collection of books, manuscripts, etc., for study and reading.



1332 CHILD CARE CENTER.

The Child Care Center use type refers to the care of children in a state-licensed child care center, but excluding overnight care or uses classified as Group Care or Major Impact Services and Utilities. Typical uses include child care centers, preschools and day nurseries.

(Added by Ord. No. 6782 (N.S.) adopted 5-16-84)

1335 ESSENTIAL SERVICES.

The Essential Services use type refers to services which are necessary to support principal development and involve only minor structures, such as utility lines and/or poles, which are necessary to support principal development. Essential Services also includes a public passive park/recreational area.

(Amended by Ord. No. 8340 (N.S.) adopted 12-15-93)

1340 FIRE PROTECTION SERVICES.

The Fire Protection Services use type refers to the providing of fire protection by a district or an entity organized pursuant to Health and Safety Code Sections 14825 et seq. and the housing of fire trucks, fire fighting personnel and related equipment.

1345 GROUP CARE.

The Group Care use type refers to services provided in facilities and authorized, certified or licensed by the State to provide board, room and personal care to 7 or more persons or dependent and neglected children or in facilities authorized to provide day care services but excluding those uses classified under Child Care Center or Major Impact Services and Utilities. Typical uses include halfway houses, intermediate care facilities, and, day care facilities serving more than 50 persons.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)

(Amended by Ord. No. 6654 (N.S.) adopted 9-21-83)

(Amended by Ord. No. 6782 (N.S.) adopted 5-16-84)

1346 LAW ENFORCEMENT SERVICES.

The Law Enforcement Services use type refers to the provision of police protection by a governmental agency, including administrative offices, storage of equipment and the open or enclosed parking of patrol vehicles.

(Added by Ord. No. 8175 (N.S.) adopted 11-18-92)

1348 LODGE, FRATERNAL AND CIVIC ASSEMBLY.

The Lodge, Fraternal and Civic Assembly use type refers to meetings and activities conducted primarily for their members of nonprofit organizations which are tax-exempt pursuant to Section 501 (c) of the Internal Revenue Code. Excluded from this use type are uses classified as Group Residential,

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Group Care, or Transient Habitation (all types). Typical uses include meeting places for civic clubs, lodges, or fraternal or veterans organizations.

(Added by Ord. No. 5508 (N.S.) adopted 5-16-79)

**1350 MAJOR IMPACT SERVICES AND UTILITIES.**

The Major Impact Services and Utilities use type refers to public services and utilities which have substantial impact. Such uses may be conditionally permitted in any zone when the public interest supersedes the usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community wide interest. Typical places or uses are schools, sanitary landfills, public and private airports, public park/playground/recreational areas (other than public passive park/recreational areas), hospitals, psychiatric facilities, cemeteries, nursing homes or detention and correction institutions.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 6543 (N.S.) adopted 3-2-83)

(Amended by Ord. No. 6855 (N.S.) adopted 10-10-84)

(Amended by Ord. No. 7850 (N.S.) adopted 1-16-91)

(Amended by Ord. No. 8340 (N.S.) adopted 12-15-93)

**1355 MINOR IMPACT UTILITIES.**

The Minor Impact Utilities use type refers to public utilities which have a local impact on surrounding properties and are necessary to provide essential services. Typical uses are electrical and gas distribution substations.

**1360 PARKING SERVICES.**

The Parking Services use type refers to parking services involving garages and lots which are publicly operated.

**1365 POSTAL SERVICES.**

The Postal Service use type refers to mailing services excluding major processing, owned or operated by governmental agencies as traditionally provided by the United States Postal Service.

**1370 RELIGIOUS ASSEMBLY.**

The Religious Assembly use type refers to religious services involving public assembly such as customarily occurs in synagogues, temples, and churches.

**1375 SMALL SCHOOLS.**

The Small Schools use type refers to the education of 7 or more, but not more than 50, children, elderly persons, retarded, or otherwise handicapped persons, but excluding overnight care or uses classified as Group Care or Major Impact Services and Utilities. Typical uses include day care facilities for the elderly, and schools for not more than 50 children or adults.

(Added by Ord. No. 6654 (N.S.) adopted 9-21-83)

## 1380 WIND TURBINE SYSTEM, MEDIUM.

The wind turbine system (medium sized) use type refers to the production of electric power two wind turbines, or systems in which the total blade swept area is greater than 220 square feet but no more than 850 square feet. The blade swept area shall be measured in the vertical plane perpendicular to the wind direction. This use type is permitted in all zones (except those having the S81 Ecological Resource Area Use Regulations) upon issuance of an administrative permit. This use type does not include uses classified as Major Impact Services and Utilities. Typical uses include wind turbine installation of medium size for residential or small scale commercial use.

(Added by Ord. No. 6857 adopted on 10-10-84. Opr. 1-1-85)

(Amended by Ord. No. 7117 (N.S.) adopted 4-23-86)



## COMMERCIAL USE TYPES

### 1400 GENERAL DESCRIPTION OF COMMERCIAL USE TYPES.

Commercial use types include the distribution and sale or rental of goods; and the provision of services other than those classified as Civic Uses. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

### 1410 ADMINISTRATIVE AND PROFESSIONAL SERVICES.

The Administrative Professional Services use type refers to offices of private firms or organizations which are primarily used for the provision of professional, executive, management or administrative services. Typical uses include administrative offices, legal offices, or architectural firms.

### 1415 AGRICULTURAL AND HORTICULTURAL SALES.

The Agricultural and Horticultural Sales use type refers to sale from the premises of agricultural and horticultural goods.

- a. Agricultural Sales. Sale of feed, grain, fertilizers, pesticides and similar goods. Typical items include nurseries, hay, feed and grain stores.
- b. Horticultural Sales. Retail sale only of horticultural and floricultural specialties and related nursery items. Typical items include flowers, shrubs, trees and garden tools and supplies.

(Amended by Ord. No. 6284 (N.S.) adopted 5-5-82)

### 1420 AGRICULTURAL SERVICES.

The Agricultural Services use type refers to establishments or places of business engaged in the provision of agriculturally related services with incidental storage on lots other than where the service is rendered. Typical uses include crop dusting or tree service firms.

### 1425 ANIMAL SALES AND SERVICES.

Animal Sales and Services refers to establishments or places of business primarily engaged in animal related sales and services. The following are animals sales and services use types:

- a. **Animal Sales and Services: Auctioning.** Auctioning of livestock on a wholesale or retail basis with incidental storage of animals produced off property not exceeding 48-hour periods. The auctioning of miscellaneous related items may be conducted in conjunction with animal auctioning, if the auctioning of miscellaneous related items is conducted by the same operator as the animal auction, the number of days and hours of operation do not exceed those in which animal auctions are held, and the impacts resulting from the miscellaneous items auction activity do not exceed those of the animal auction. Typical uses include animal auctions or livestock auction yards.
- b. **Animal Sales and Services: Grooming.** Grooming of dogs, cats and similar small animals. Typical uses include dog bathing and clipping salons or pet grooming shops.
- c. **Animal Sales and Services: Horse Stables.** Boarding, breeding or raising of horses for commercial purposes. This does not include the non-commercial use of horses owned by the occupants of the premises. Typical uses include boarding stables or public stables.
- d. **Animal Sales and Services: Kennels.** Kennel services for dogs, cats and similar small animals. Typical uses include boarding kennels, pet motels or dog training centers.
- e. **Animal Sales and Services: Stockyards.** Stockyard services involving the temporary keeping of transient livestock for slaughter, market or shipping. Typical uses include stockyards or animal sales yards.
- f. **Animal Sales and Services: Veterinary (Large Animals).** Veterinary services for large animals. Typical uses include animal hospitals (large animals) or veterinary hospitals (large animals).
- g. **Animal Sales and Services: Veterinary (Small Animals).** Veterinary services for small animals. Typical uses include pet clinics, dog and cat hospitals or animal hospitals (small animals).

(Amended by Ord. No. 7981 (N.S.) adopted 10-2-91)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

#### 1430 AUTOMOTIVE AND EQUIPMENT.

Automotive and equipment refers to establishments or places of business primarily engaged in automotive related or heavy equipment sales or service. The following are automotive and equipment use types:

- a. **Automotive and Equipment: Cleaning.** Washing and polishing of automobiles. Typical uses include auto laundries or car washes.

- b. Automotive and Equipment: Fleet Storage. Storage or parking of one or more vehicles used regularly in business operations. Excluded from this use type are Automotive and Equipment: Sales/Rentals, (all types); and the incidental parking of vehicles as an accessory use to a permitted use on the same premises. Typical uses include taxi fleets, mobile catering truck storage or delivery truck fleets.
- c. Automotive and Equipment: Parking. Parking of motor vehicles on a temporary basis within a privately owned off-street parking area with or without a fee. Typical uses include commercial parking lots or garages.
- d. Automotive and Equipment: Repairs, Heavy Equipment. Repair of motor vehicles such as aircraft, boats, recreational vehicles, trucks, etc., as well as the sale, installation and servicing of automotive equipment and parts together with body repairs, painting and steam cleaning. Typical uses include truck transmission shops, body shops or motor freight maintenance groups.
- e. Automotive and Equipment: Repairs, Light Equipment. Repair of automobiles and the sale, installation and servicing of automobile equipment and parts but excluding body repairs and painting. Typical uses include muffler shops, auto repair garages or auto glass shops.
- f. Automotive and Equipment: Sales/Rentals, Heavy Equipment. Sale, retail or wholesale and/or rental from the premises of heavy construction equipment, trucks and aircraft together with incidental maintenance. Typical uses include aircraft dealers, boat dealers, or heavy construction equipment dealers.
- g. Automotive and Equipment: Sales/Rentals, Farm Equipment. Sale, retail or wholesale and/or rental from the premises of farm equipment together with incidental maintenance. Typical uses include farm equipment dealers.
- h. Automotive and Equipment: Sales/Rentals, Light Equipment. Sales, retail or wholesale and/or rental from the premises of autos, noncommercial trucks, motorcycles, motorhomes and trailers together with incidental maintenance. When used in this section noncommercial trucks shall mean vehicles that are not used for business purposes, e.g., trucks rented for moving household furnishings and driven by the owner of the items being moved. Typical uses include automobile dealers, car rental agencies or recreational vehicles sales and rental agencies.
- i. Automotive and Equipment: Storage, Nonoperating Vehicles. Storage of nonoperating motor vehicles. Typical uses include storage of private parking towaways or impound yards. (Also see Section 21.607 of the County Code for regulations.)

1430

- j. **Automotive and Equipment: Storage, Recreational Vehicles and Boats.**  
Storage of Recreational Vehicles and Boats. Typical uses include the collective storage of personal recreational vehicles or boats.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

**1435 BUILDING MAINTENANCE SERVICES.**

The Building Maintenance Services use type refers to establishments primarily engaged in the provision of maintenance and custodial services to firms rather than individuals. Typical uses include janitorial, landscape maintenance, or window cleaning services.

**1440 BUSINESS EQUIPMENT SALES AND SERVICES.**

The Business Equipment Sales and Services use type refers to establishments or places of business primarily engaged in the sale, rental or repair of equipment and supplies used by office, professional and service establishments to the firms themselves rather than to individuals, but excludes automotive, construction and farm equipment. Typical uses include office equipment and supply firms, small business machine repair shops or hotel equipment and supply firms.

**1445 BUSINESS SUPPORT SERVICES.**

The Business Support Services use type refers to establishments primarily engaged in the provision of services of a clerical, employment, protective, or minor processing nature to firms rather than individuals and where the storage of goods other than samples is prohibited. Typical uses include secretarial services, telephone answering services, or blueprint services.

**1450 COMMUNICATIONS SERVICES.**

The Communication Services use type refers to establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephone mechanisms but excludes those classified as Major Impact Services and Utilities. Typical uses include television studios, telecommunication service centers or telegraph service offices.

**1455 CONSTRUCTION SALES AND SERVICES.**

The Construction Sales and Services use type refers to establishments or places of business primarily engaged in construction activities and incidental storage on lots other than construction sites as well as the retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures other than retail sale of paint, fixtures and hardware; but excludes those classified as one of the Automotive and Heavy Equipment use types. Typical uses include building materials stores, tool and equipment rental or sales, or building contractors.



**1460 CONVENIENCE SALES AND PERSONAL SERVICES.**

The Convenience Sales and Personal Services use type refers to establishments or places of business primarily engaged in the provision of frequently or recurrently needed small personal items or services for residents within reasonable walking distance. These include various general retail sales and personal services of an appropriate size and scale. Typical uses include neighborhood grocery or drug stores. The Convenience Sales and Personal Services use type can include uses permitted by Section 1465 (Eating and Drinking Establishments), 1480 (Food and Beverage Sales), 1510 (Personal Services, General) and 1525 (Retail Sales, General) provided it is administratively determined that they meet the convenience description set forth above, except that the following uses are not allowed:

- a. Any use which includes the serving of alcoholic beverages, except beer and wine, for consumption on the premises;
- b. Any use which includes the provision of live entertainment;
- c. Any use which includes selling goods by auction; or
- d. Any use which includes selling equipment or parts for automobiles, marine craft, aircraft, motorcycles, camper or trailer purposes.

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

**1463 COTTAGE INDUSTRIES.**

A Cottage Industry is the production of goods or the provision of services in conjunction with a single detached dwelling conducted in compliance with the requirements of Section 6920.

(Added by Ord. No. 5652 (N.S.) adopted 11-21-79)

(Amended by Ord. No. 7964 (N.S.) adopted 8-14-91)

**1464 DRUG PARAPHERNALIA ESTABLISHMENT.**

A place of business in which drug paraphernalia, as defined in Subdivision (d) of Section 11364.5 of the California Health and Safety Code, is kept, displayed or offered in any manner, sold, furnished, transferred or given away.

(Added by Ord. No. 7649 (N.S.) adopted 07-17-89)

1465

**1465 EATING AND DRINKING ESTABLISHMENTS.**

The Eating and Drinking Establishments use type refers to establishments or places of business primarily engaged in the sale of prepared food and beverages for on-premise consumption. Typical uses include restaurants, short order eating places or bars.

**1470 EXPLOSIVE STORAGE.**

The Explosive Storage Use Type refers to the storage of any quantity of explosives as defined by Section 12000 of the California Health and Safety Code. Excluded from the Explosive Storage Use Type is the storage of up to 200 pounds of smokeless powder and/or up to 25 pounds of black sporting powder provided such storage is for commercial retail sale. Typical uses include storage in the course of manufacturing, selling, or transporting explosives or in the course of blasting operations.

**1475 FINANCIAL, INSURANCE AND REAL ESTATE SERVICES.**

The Financial, Insurance and Real Estate Services use type refers to establishments primarily engaged in the provision of financial, insurance, real estate or securities brokerage services. Typical uses include banks, insurance agencies or real estate firms.

**1480 FOOD AND BEVERAGE RETAIL SALES.**

The Food and Beverage Retail Sales use type refers to establishments or places of business primarily engaged in the retail sale of food and beverages for home consumption. Typical uses include groceries, liquor stores or delicatessens.

**1485 FUNERAL AND INTERMENT SERVICES.**

Funeral and Interment Services refers to establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. The following are Funeral and Interment Services use types.

- a. Funeral and Interment Services: Cremating. Crematory services involving the purification and reduction of the human body by fire. Typical uses include crematories or crematoriums.
- b. Funeral and Interment Services: Interring. Interring services involving the keeping of human bodies other than in cemeteries. Typical uses include columbaria, mausoleums or cineraria.
- c. Funeral and Interment Services: Undertaking. Undertaking services such as preparing the dead for burial and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

**1490 GASOLINE SALES.**

The Gasoline Sales use type refers to establishments or places of business primarily engaged in the retail sales, from the premises, of petroleum products, and includes the sale of tires, batteries, and replacement items, lubricating services and minor repair services. Typical uses include automobile service stations, filling stations or truck stops.

(Amended by Ord. No. 7432 (N.S.) adopted 1-06-88)

**1495 LAUNDRY SERVICES.**

The Laundry Services use type refers to establishments primarily engaged in the provision of laundering, dry cleaning or dyeing services other than those classified as Personal Services, General. Typical uses include laundry agencies, diaper services or linen supply services.

**1500 MEDICAL SERVICES.**

The Medical Services use type refers to establishments primarily engaged in the provision of personal health services ranging from prevention, diagnosis and treatment or rehabilitation services provided by physicians, dentists, nurses and other health personnel as well as the provision of medical testing and analysis services, but excludes those classified as any civic use type. Typical uses include medical offices, dental laboratories or health maintenance organizations.

**1505 PARTICIPANT SPORTS AND RECREATION.**

Participant Sports and Recreation refers to establishments or places primarily engaged in the provision of sports or recreation by and for participants. Any spectators would be incidental and on a nonrecurring basis. The following are participant sports and recreation use types:

- a. Participant Sports and Recreation: Indoor. Those uses conducted within an enclosed building. Typical uses include bowling alleys or billiard parlors
- b. Participant Sports and Recreation: Outdoor. Those uses conducted in open facilities. Typical uses include driving ranges or miniature golf courses, health clubs and spas, swimming beaches, swimming pools and nudist facilities.

(Amended by Ord. No. 7106 (N.S.) adopted 3-19-86)

1510

**1510 PERSONAL SERVICES, GENERAL.**

The Personal Services, General use type refers to establishments primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature but excludes services classified a Spectator Sports and Entertainment, Participant Sports and Recreation, or Transient Habitation. Typical uses include photography studios, massage parlors, driving schools or reducing salons.

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)

**1512 RECYCLING COLLECTION FACILITY.**

The Recycling Collection Facility use type refers to establishments or places primarily engaged in collecting recyclable materials for the purpose of resource recovery. Typical uses include collection centers that use portable receptacles for collecting containers made from metal, glass, paper or plastic. The following are Recycling Collection Facility use types:

- a. Recycling Collection Facility, Small: A facility for the acceptance (donation, redemption, or sale) of recyclable materials from the public which occupies an area of not more than 500 square feet. Except for reverse vending machines, such a facility does not utilize power-driven equipment. Small collection facilities may consist of the following:
  1. Reverse vending machines.
  2. Mobile recycling units.
  3. Bulk reverse vending machines.
  4. Kiosk type units.
  5. Free-standing containers.
- b. Recycling Collection Facility, Large: A facility for the acceptance (donation, redemption, or sale) of recyclable materials from the public which occupies an area of more than 500 square feet. Such a facility may employ the same collection methods of a small recycling facility but in addition, may aggregate and/or sort recyclable materials on site in preparation for shipment to a processing facility. A large collection facility may also utilize power-driven equipment.

(Added by Ord. No. 6134 (N.S.) adopted 7-22-81)

(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)

**1513 RECYCLING PROCESSING FACILITY**

The Recycling Processing Facility use type refers to establishments or places primarily engaged in processing recyclable materials for the purpose of resource recovery. Processing means the preparation of materials by one or more of the following means: baling, briquetting, compacting, flattening, grinding, crushing, mechanical sorting, shredding and cleaning. Recycling processing facilities include the following:

- a. Recycling Processing Facility, Light: A light processing facility is limited to baling, briquetting, crushing, compacting, grinding, shredding and sorting of source separated recyclable materials and repairing of reusable products sufficient to qualify as a certified recycling facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.
- b. Recycling Processing Facility, Heavy: Any facility, other than a light recycling processing facility or scrap operation for processing of recyclable materials.
- c. Recycling Processing Facility, Wood and Green Materials, Light: A facility devoted exclusively to grinding or shredding (but not sawing) of wood and/or green waste.
- d. Recycling Processing Facility, Wood and Green Materials, Heavy: A facility devoted exclusively to grinding or shredding (including sawing) of wood and/or green waste.

(Added by Ord. No. 8058 (N.S.) adopted 4-15-92)

#### 1515 REPAIR SERVICES, CONSUMER.

The Repair Services, Consumer use type refers to establishments primarily engaged in the provision of repair services to individuals and households rather than firms, but excluding Automotive and Equipment use types. Typical uses include appliance repair shops, apparel repair firms or musical instrument repair firms.

#### 1520 RESEARCH SERVICES.

The Research Services use type refers to establishments primarily engaged in research of an industrial or scientific nature which is provided as a service or which is conducted by and for a private firm, but excludes medical testing and analysis and product testing. Typical uses include electronics research laboratories, space research and development firms or pharmaceutical research labs.

#### 1525 RETAIL SALES.

Retail Sales refers to establishments or places primarily engaged in the sale or rental of goods or merchandise for personal or household use, but excludes those classified as Agricultural Sales, Animal Sales and Services, Automotive and Equipment, Business Equipment Sales and Services, Construction Sales and Services, Food and Beverage Retail Sales, Gasoline Sales, and Swap Meets. The following are Retail Sales use types:

- a. Retail Sales: General. Goods offered are generally those meeting regular or recurring personal or household needs. Establishment may have a relatively large floor area and offer a wide variety of merchandise types. Typical uses would include department stores, variety stores, super drug stores, apparel stores, and furniture stores.

- b. **Retail Sales: Specialty.** Establishments offering a single type, or closely related types, of merchandise oriented toward impulse or discretionary purchase rather than satisfaction of regular or recurring needs. Included in this use type is accessory custom manufacturing which involves the production for on-site sale only of crafts, jewelry or related specialty items. Individual establishments will have relatively small floor areas (generally not more than 2,000 square feet). Typical uses would include sale of art or craft objects; sales conducted in civic plazas; flower or plant shops; shops offering gifts, novelties, or souvenirs; beachwear stores; and antique shops.

(Amended by Ord. No. 6187 (N.S.) adopted 11-18-81)

(Amended by Ord. No. 6743 (N.S.) effective 1-11-85)

(Amended by Ord. No. 8581 (N.S.) adopted 9-2-95)

#### 1530 SCRAP OPERATIONS.

The Scrap Operations use type refers to places of business primarily engaged in the storage, dismantling, sorting, baling and crushing for sale of used and discarded products. The Scrap Operations use type does not include a Recycling Processing Facility. Typical Scrap Operations uses include automotive wrecking yards, junk yards or salvage yards. (Also see Section 21.607 of the County Code for regulations.)

(Amended by Ord. No. 8058 (N.S.) adopted 4-15-92)

(Amended by Ord. No. 8897 (N.S.) adopted 3-18-98)

#### 1535 SPECTATOR SPORTS AND ENTERTAINMENT.

Spectator Sports and Entertainment refers to establishments or places primarily engaged in the provision of cultural, entertainment, athletic and other events to spectators as well as those involving social or fraternal gatherings. The following are Spectator Sports and Entertainment use types:

- a. **Spectator Sports and Entertainment: Limited.** Those uses conducted within an enclosed building with a capacity of 500 or less people. Typical uses include small theaters or meeting halls.
- b. **Spectator Sports and Entertainment: General.** Those uses conducted in open facilities or those uses conducted within an enclosed building with a capacity of more than 500 people. Typical uses include large exhibition halls or sports stadiums.

#### 1540 SWAP MEETS.

The Swap Meet use type refers to the display, exchange, barter or sale of new or used common household items or office equipment and furnishings, provided that such activity is carried on in a swap lot. Typical uses include flea markets where clothing, personal effects, household furnishings and household appliances are sold or otherwise exchanged.

1545        **TRANSIENT HABITATION.**

Transient Habitation refers to establishments primarily engaged in the provision of lodging services on a less than weekly basis with incidental food, drink and other sales and services intended for the convenience of guests. The following are Transient Habitation use types:

- a.    Transient Habitation: Campground. Campground services involving transient habitation areas for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks.
- b.    Transient Habitation: Lodging. Lodging services involving the provision of room and/or board. Typical uses include hotels, motels or transient boarding houses.
- c.    Transient Habitation: Resort. Resort services including the provision of extensive outdoor recreation and entertainment services especially for vacationers. Typical uses include resort and recreational facilities, dude ranches, health spas, and resort hotels, motels and nudist facilities.

(Amended by Ord. No. 7106 (N.S.) adopted 3-19-86)

1550        **WHOLESALE, STORAGE AND DISTRIBUTION.**

Wholesaling, Storage and Distribution refers to establishments or places of business primarily engaged in wholesaling, storage, distribution and handling of materials and equipment other than live animals and plants. The following are Wholesaling, Storage and Distribution use types:

- a.    Wholesaling, Storage and Distribution: Mini-Warehouses. Storage or warehousing service within a building(s) primarily for individuals to store personal effects and by businesses to store material for operation of an industrial or commercial enterprise located elsewhere. (See Section 6909 for regulations applicable to mini-warehouses.)
- b.    Wholesaling, Storage and Distribution: Light. Wholesaling, storage and warehousing services within enclosed structures. Typical uses include wholesale distributors, storage warehouses or moving and storage firms.
- c.    Wholesaling, Storage and Distribution: Heavy. Open air storage, distribution and handling of materials and equipment. Typical uses include monument or stone yards, grain elevators or open storage yards.

(Amended by Ord. No. 6984 (N.S.) adopted 7-03-85)

(Amended by Ord. No. 7388 (N.S.) adopted 10-07-87)

(Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)





## INDUSTRIAL USE TYPES

### 1600 GENERAL DESCRIPTION OF INDUSTRIAL USE TYPES.

Industrial use types include the on-site production of goods by methods not agricultural or extractive in nature. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

### 1610 CUSTOM MANUFACTURING.

The Custom Manufacturing use type refers to the use of any structure having a floor area no greater than 2,000 square feet primarily engaged in the on-site production of goods by hand manufacturing which involves only the use of hand tools or domestic mechanical equipment not exceeding the use of five horse power at any one time, or a single kiln not exceeding 8 cubic feet in volume and the incidental direct sale to consumers of only those goods produced on-site. Additional floor area and/or horse power may be approved upon issuance of a minor use permit. Typical uses include ceramic studios, candle making shops or custom jewelry manufacturers. The 2,000 square foot limit shall include and apply to the total floor area occupied by all such uses conducted in the structure.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)

(Amended by Ord. No. 7576 (N.S.) adopted 1-11-89)

(Amended by Ord. No. 7935 (N.S.) adopted 6-19-91)

### 1620 GENERAL INDUSTRIAL.

The General Industrial use type refers to industrial plants primarily engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products.

### 1630 HEAVY INDUSTRIAL.

The Heavy Industrial use type refers to all other industrial plants or involves the compounding of radioactive materials, petroleum refining or manufacturing of explosives.



## AGRICULTURAL USE TYPES

### 1700 GENERAL DESCRIPTION OF AGRICULTURAL USE TYPES.

Agricultural use types include the on-site production of plant and animal products by agricultural methods. They also include certain use accessory to the above as specified in Section 6150, Accessory Use Regulations.

### 1710 HORTICULTURE.

Horticulture refers to premises primarily devoted to horticultural and floricultural specialties such as flowers, shrubs, and trees intended for ornamental or landscaping purposes. The following are Horticulture use types:

- a. Horticulture: Cultivation. Cultivation of plants for wholesale sales.
- b. Horticulture: Storage. Storage of plants, primarily in containers, for wholesale sales.

### 1715 TREE CROPS.

The Tree Crops use type refers to premises primarily devoted to the cultivation for sale at wholesale of tree-grown agricultural products such as avocados, walnuts and citrus fruits.

### 1720 ROW AND FIELD CROPS.

The Row and Field Crops use type refers to premises primarily devoted to the cultivation for sale at wholesale of agricultural products grown in regular or scattered patterns such as vines, field, forage and other plant crops intended to provide food or fibers.

### 1725 ANIMAL RAISING.

The Animal Raising use type refers to premises where animals are fed or kept for personal use, for 4-H or other agricultural organization projects by the owner or occupant of the premises, or for animal products, animal increase or value increase.

### 1730 ANIMAL WASTE PROCESSING.

The Animal Waste Processing use type refers to the processing of animal waste and by-products, including but not limited to animal manure, animal bedding waste, and similar by-products of an animal raising agricultural operation, for use as a commercial fertilizer or soil amendment and including composting operations.

The Animal Waste Processing use type does not include poultry manure management practices involving drying and disposal of manure produced on site or brought to a poultry ranch from another poultry ranch owned or operated by the same person(s), provided the receiving site is zoned with an animal regulations designation which allows an unlimited number of poultry.

(Amended by Ord. No. 7817 (N.S.) adopted 9-26-90)

**1735 PACKING AND PROCESSING.**

Packing and Processing refers to packing and processing of fresh agricultural products and does not include cooking, canning, tanning, rendering and reducing operations which are general industrial uses. Following are categories of Packing and Processing use types:

- a. **Packing and Processing: Limited.** The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on the same premises as the packing and processing operation. These products shall be considered to be produced on the same premises if they are solely grown or produced on land owned or operated by the same person who owns or operates the packing and processing facility.
- b. **Packing and Processing: General.** The customary preparation for market of fresh produce, flowers, feed, fiber, milk, eggs, rabbits, poultry and other similarly sized small or specialty animals raised for human consumption, produced on premises other than that upon which the packing and processing operation is located.
- c. **Packing and Processing: Support.** Fabrication, assembly, reconditioning and sale of boxes, cartons, crates and pallets for handling and transporting crops provided this use is secondary to agricultural or horticultural production on the premises.
- d. **Packing and Processing: Winery.** Crushing of grapes, berries and other fruits and fermentation, storage and bottling of wine from fruit grown on or off the premises. A Winery may also include a tasting room and retail outlet as secondary uses.
- e. **Packing and Processing: Boutique Winery.** Crushing of grapes, berries and other fruits and fermentation, storage and bottling of up to 12,000 gallons of wine per year. Of the total fruit used in winemaking: a minimum of 50% shall be grown within San Diego County, a minimum of 25% shall be grown on the premises and a maximum of 50% may be grown outside of San Diego County. A Boutique Winery may also include a tasting room and retail outlet as secondary uses.
- f. **Packing and Processing: Wholesale Limited Winery.** Crushing of grapes, berries and other fruits for the fermentation, storage, bottling and wholesaling of wine from fruit grown on or off the premises, subject to the following criteria.
  1. On-site sales to the public, tasting rooms, and/or special events associated with the winery operation are prohibited. Internet sales, phone sales and mail-order sales are allowed.
  2. The maximum floor area of non-residential structure(s) used to crush, ferment, store and bottle fruit, wine and other products and equipment used in winemaking is limited to 1,000 square feet where the lot is less than one gross acre. A maximum floor area of 1,500 square feet is permitted where the lot is one acre or more but less than 2 acres gross, and 2,000 square feet of floor area is permitted where the lot is 2 to 4 acres gross. An additional 200 square feet of floor area is permitted for each acre over 4 acres, up to a maximum of 5,000 square feet.
  3. Up to 75 percent of the fruit used in winemaking may be imported from off the premises while the remainder shall be grown on the premises.
  4. Wine production shall be limited to not more than 7,500 gallons annually.

(Amended by Ord. No. 5508 (N.S.) adopted 5-16-79)  
 (Amended by Ord. No. 5786 (N.S.) adopted 6-4-80)  
 (Amended by Ord. No. 6134 (N.S.) adopted 7-22-81)  
 (Amended by Ord. No. 6761 (N.S.) adopted 4-25-84)  
 (Amended by Ord. No. 7818 (N.S.) adopted 9-26-90)  
 (Amended by Ord. No. 7982 (N.S.) adopted 10-02-91)  
 (Amended by Ord. No. 9422 (N.S.) adopted 1-9-02)  
 (Amended by Ord. No. 9935 (N.S.) adopted 4-23-08)  
 (Amended by Ord. No. 9940 (N.S.) adopted 6-18-08)

#### 1740            AGRICULTURAL EQUIPMENT STORAGE.

The Agricultural Equipment Storage use type refers to the storage and minor repair of farm implements and equipment including but not limited to vehicles, tractors, wagons, bailers, combines, fencing materials and irrigation pipe which are customarily used in tilling, harvesting and transporting plant or animal products when such storage is not accessory to agricultural use of the property and the property would otherwise be considered vacant, unproductive or only partly productive. The Agricultural Equipment Storage use type does not include the storage of pesticides or herbicides or the underground storage of fuel. Any use permit granted for Agricultural Equipment Storage shall include a finding that said equipment is necessary for agricultural operations located a reasonable distance from the storage site on land owned or leased by the same person owning or leasing the storage site.

(Added by Ord. No. 6855 adopted 10-10-84)



## EXTRACTIVE USE TYPES

## 1800 GENERAL DESCRIPTION OF EXTRACTIVE USE TYPES.

Extractive use types include the on-site production of mineral products by extractive methods. They also include certain uses accessory to the above, as specified in Section 6150, Accessory Use Regulations.

## 1810 MINING AND PROCESSING.

- a. The Mining and Processing use type refers to places or plants primarily devoted to surface or subsurface mining of metallic and non-metallic minerals, water, oil or gas together with essential on-site processing and production of only non-metallic mineral products. Typical operations include, but are not limited to, mines, borrow pits, sand and gravel plants, oil and gas drilling rigs, groundwater extraction operations which may be a primary or secondary use, and associated on-site processing operations such as concrete batch plants. This use type includes recycling of salvaged concrete, asphalt and rock previously used in construction when sited in conjunction with the following non-metallic mineral processing operations: rock crushing, asphalt pavement production, and concrete batching. Such recycling is not permitted where sand processing is the only processing use occurring.
- b. Rock, sand, gravel and soils including products of these materials to be recycled together with organic matter, excluding unprocessed animal waste, may be imported into a mining site for processing when so specified by the use permit conditions. Processing includes crushing, screening, mixing, blending and amending, as well as storage and sale of the final products for use off-site. The soil amendment operation, as defined in this section, shall comply with Section 6318.

(Amended by Ord. No. 6268 (N.S.) adopted 5-5-82)

(Amended by Ord. No. 8034 (N.S.) adopted 2-26-92)

(Amended by Ord. No. 8050 (N.S.) adopted 4-8-92)

## 1820 SITE PREPARATION.

The Site Preparation use type refers to places where the off-site removal of materials is secondary to the future use of the site and where the removal of materials is not completed within one year but otherwise is exempt from the definition of a "Borrow Pit".

